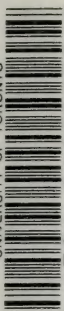
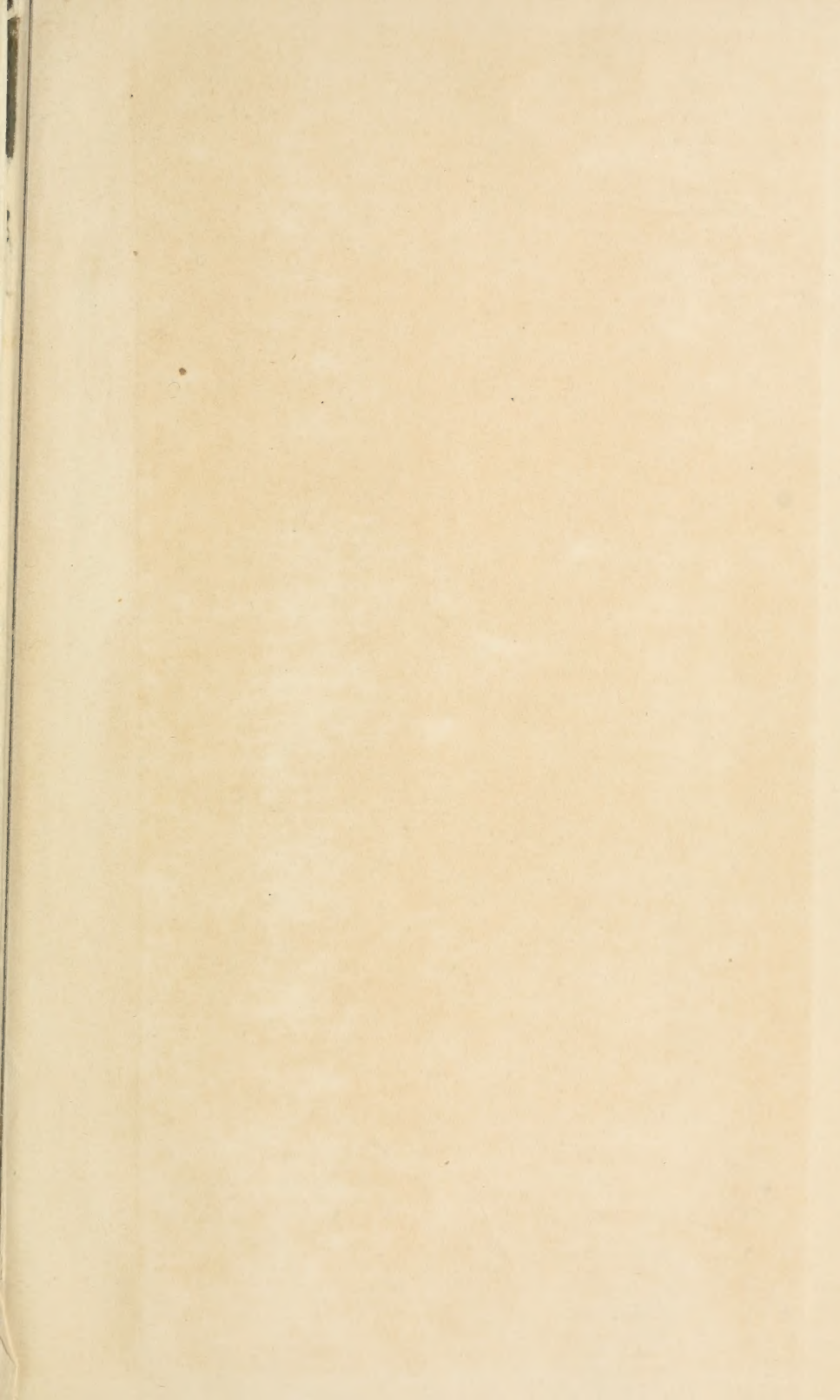


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IRELAND UNDER THE NORMANS

ORPEN

OXFORD UNIVERSITY PRESS

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TORONTO MELBOURNE CAPE TOWN BOMBAY

HUMPHREY MILFORD

PUBLISHER TO THE UNIVERSITY

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IRELAND UNDER THE NORMANS

1216-1333

BY

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VOL. IV

161503.
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CHIEF GOVERNORS OF IRELAND

1272-1332

MAURICE FITZ MAURICE, confirmed in the office of justiciar by the king on December 7, 1272: Cal. Fine Rolls, 1 Ed. I, p. 1.

GEOFFREY DE GEYNVILLE, justiciar from August 1273 to the summer of 1276: see his accounts, Pipe Roll (Ireland), 7 Ed. I, 36th Rep. D. K., pp. 40, 41.

ROBERT D'UFFORD, appointed justiciar June 17, 1276: Cal. Pat. Roll, 4 Ed. I, p. 149. When absent in England during parts of 1279 and 1280, his *locum tenens* was Stephen de Fulburne, Bishop of Waterford: Cal., nos. 1596, 1646; Laud MS. Annals in Chart. St. Mary's, vol. ii, p. 318.

STEPHEN DE FULBURN, Bishop of Waterford, and treasurer of Ireland, appointed justiciar November 21, 1281: Cal. Pat. Roll, 10 Ed. I, p. 1. William Fitz Roger, prior of Kilmainham, was his deputy in 1283 (36th Rep. D. K., p. 70); and again in July 1285: Cal., vol. iii, no. 814. Stephen de Fulburne was translated to the see of Tuam on July 11, 1286, and died July 3, 1288: 37th Rep. D. K., p. 34.

JOHN DE SAUNFORD, Archbishop of Dublin, on July 7, 1288, was appointed by the King's Council 'Keeper of Ireland until the king should otherwise decide': Cal., vol. iii, no. 559. William d'Oddingeseles and Walter l'Enfant were his deputies in 1290 in some operations against O'Melaghlin of Meath: *ibid.*, p. 270.

WILLIAM DE VESCY, appointed justiciar September 12, 1290: Cal. Pat. Roll, 18 Ed. I, p. 387. On his going to England early in 1294 in connexion with his dispute with John Fitz Thomas, Walter de la Haye, escheator of Ireland, was his *locum tenens*: Cal., vol. iv, no. 147; Laud MS. Annals, Chart. St. Mary's, vol. ii, p. 323.

6 CHIEF GOVERNORS OF IRELAND

WILLIAM FITZ ROGER, Prior of Kilmainham, assigned by the King's Council as Keeper after the removal of William de Vesey, from June 4, 1294, to October 19 in the same year: Cal., vol. iv, pp. 120-1.

WILLIAM D'ODDINGESELES, appointed justiciar October 18, 1294: Cal. Pat. Roll, 22 Ed. I, p. 99. He died in office in April 1295: Cal., vol. iv, p. 121; Laud MS. Annals, Chart St. Mary's, vol. ii, p. 324.

THOMAS FITZ MAURICE (of Desmond), assigned by the King's Council as Keeper of Ireland, April 19, 1295: Cal., vol. iv, p. 121.

JOHN WOGAN, lord of Picton Castle in Pembrokeshire, appointed justiciar October 18, 1295: Cal. Pat. Roll, 23 Ed. I, p. 155. Among his *locum tenentes* were for some months from October 1299, Richard de Burgh, Earl of Ulster (Justiciary Roll, vol. i); from August 1301 to March 1302, William de Ros, Prior of Kilmainham (Cal., vol. iv, no. 801); Maurice de Rochefort, from June 30 to September 29, 1302 (Cal., vol. v, no. 71); Edmund le Botiller, from October 1304 to May 1305 (Justiciary Roll, vol. ii, where he is called *custos*). On June 16, 1308, Piers Gaveston, Earl of Cornwall, came to Ireland with viceregal powers, but in the autumn, when John Wogan crossed to England, he left William de Burgh as *custos* during his absence: Laud MS. Annals, Chart. St. Mary's, vol. ii, p. 337. Gaveston returned to England on June 23, 1309, and John Wogan remained in office. In 1312 Edmund le Botiller was once more his *locum tenens*: *ibid.*, p. 341.

THEOBALD DE VERDUN, appointed justiciar April 30, 1313 (Cal. Pat. Rolls, 6 Ed. II, p. 568), came to Ireland as justiciar on December 31, 1314: Laud MS., as above, p. 343; but was soon summoned to Newcastle against the Scots.

EDMUND LE BOTILLER, appointed justiciar on January 4, 1315: Cal. Pat. Rolls, 8 Ed. II, p. 207.

ROGER DE MORTIMER, of Wigmore (afterwards Earl of March), who had been appointed keeper of Ireland November 23, 1316 (Cal. Pat. Rolls, 10 Ed. II, p. 563), landed at Youghal April 7, 1317: Laud MS., as above, p. 301. He returned to England about May 1318, leaving William Fitz John, Archbishop of Cashel, as *custos*: *ibid.*, p. 358.

CHIEF GOVERNORS OF IRELAND 7

- ALEXANDER DE BYKENORE, Archbishop of Dublin, appointed justiciar August 11, 1318 (Cal. Pat. Rolls, 12 Ed. II, p. 196), entered Dublin as justiciar October 9, 1318: Laud MS., p. 359.
- ROGER DE MORTIMER, again justiciar on March 16, 1319 (Cal. Pat. Rolls, 12 Ed. II, p. 317), returned to England in 1320, leaving Thomas Fitz John, Earl of Kildare, as deputy: *ibid.*, p. 361.
- RALPH DE GORGES, appointed justiciar February 1, 1321 (Cal. Pat. Rolls, 14 Ed. II, p. 558); but he seems not to have come to Ireland.
- JOHN DE BERMINGHAM, Earl of Louth, appointed justiciar May 21, 1321: Cal. Pat. Rolls, 14 Ed. II, p. 588.
- JOHN DARCY (LE NEVEU), justiciar November 18, 1323 (Cal. Pat. Rolls, 17 Ed. II, p. 348); he was 'going to Ireland' on August 18, 1324.
- THOMAS FITZ JOHN, Earl of Kildare, appointed justiciar March 12, 1327: Cal. Pat. Rolls, 1 Ed. III, p. 29. He died April 1328.
- BROTHER ROGER OUTLAW, Prior of Kilmainham and chancellor, seems to have been justiciar April 1328.
- JOHN DARCY (LE NEVEU), appointed justiciar August 21, 1328: Cal. Pat. Rolls, 2 Ed. III, p. 316.
- JOHN DARCY (LE COSYN), appointed justiciar February 19, 1329: Cal. Pat. Rolls, 3 Ed. III, p. 373.
- ANTHONY DE LUCY, appointed justiciar February 27, 1331: Cal. Pat. Rolls, 5 Ed. III, p. 83. Four days later William de Burgh, Earl of Ulster, was appointed king's deputy in Ireland, to take with the advice of the justiciar and council all measures necessary for the preservation of peace there: *Foedera*, vol. ii, p. 811.
- JOHN DARCY (LE COSYN), appointed justiciar September 30, 1332: Cal. Pat. Rolls, 6 Ed. III, p. 340.

NOTE.—In the above list of Chief Governors their various deputies or *locum tenentes* are not all mentioned.

CHAPTER XXXIII

EDWARD I AND HIS JUSTICIARS

1272-1307

Growing
unrest.

DURING the last eighteen years of the reign of Henry III, insufficient attention was paid to the growing unrest of the semi-independent Irish chieftains.¹ This neglect was no doubt due in part to the division of responsibility between the king and his son, but mainly to the preoccupation of both in the conflict with the barons of England. At the close of this period Aedh O'Connor, unchecked since the death of Walter de Burgh, was destroying the castles and plundering the districts held by the English near his territory in Connaught; Brian O'Brien was in revolt in Thomond; the dispute between the Mandevilles and the new seneschal, William Fitz Warin, led to some disturbance in the north of Ulster; while nearer the capital the O'Byrnes and the O'Tooles of Wicklow were for the first time beginning to give trouble.

Before leaving for the Holy Land in 1270, Edward appointed as his lieutenants in England Walter Gifford, Archbishop of York, Philip Basset, Roger Mortimer, and Robert Burnell, afterwards Bishop of Bath and Wells, and from 1273 to 1292, chancellor of England. It was probably these lieutenants who, in September 1270, after the defeat of Walter de Burgh at

¹ For Edward's actions with regard to Ireland before he came to the throne see in particular *ante*, vol. iii, pp. 269-83.

Ath-in-chip, appointed James d'Audley justiciar. His accounts show that he was engaged during his term of office in succouring and victualling the castles of Roscommon, Athlone, and Randown, against Aedh O'Connor, in bringing O'Neill and O'Cahan to the king's peace, and in endeavouring to repress the revolt of Brian O'Brien in Thomond.¹ In this last expedition he met with his death through a fall from his horse on June 23, 1272,² and Maurice Fitz Maurice, eldest surviving son of Maurice Fitz Gerald, was deputed by Prince Edward's lieutenants as justiciar in his place. Edward on his accession was still absent from England, and merely confirmed the appointments of Maurice Fitz Maurice as justiciar of Ireland, and of William Fitz Warin as seneschal of Ulster. In 1273 Maurice led a force into Thomond, when 'he took hostages and obtained sway over O'Brien',³ but in August he was superseded by Geoffrey de Geynville, lord of the liberty of Trim, who had been with Edward in the Holy Land. From about this time the king infused a new vigour into the government of Ireland. He provided funds for the administration by directing that the issues of the escheatry, as well of wards as of vacant sees and abbeys, should be

James
d'Audley,
justiciar,
1270.

Maurice
f. Maurice,
justiciar.

Geoffrey
de Geyn-
ville,
justiciar,
1273.

¹ See the account rendered by his son and heir William de Audley: Cal. Docs. Irel., vol. ii, no. 890. He obtained hostages (who seem to have been soon afterwards restored) from Brian Roe O'Brien.

² Annales de Monte Fernandi (Strade, Co. Mayo): Laud MS. Annals, Chart. St. Mary's Abbey, vol. ii, p. 317; and cf. Ann. Loch Cé, 1272.

³ Ann. Loch Cé, 1273. He borrowed £86 19s. from the citizens of Dublin 'to maintain war against the king's enemies': Cal. Docs. Ireland, vol. ii, no. 1139; also 100 marks from a citizen of Cork for the army against O'Brien: ibid., p. 180.

10 EDWARD I AND HIS JUSTICIARS

at the justiciar's disposal,¹ and he strengthened the justiciar's hands by giving him power to appoint and remove sheriffs, and to call for the delivery to him of castles in the hands of the escheator, or of the seneschal of Ulster.² Indeed throughout Edward's reign there seems to have been no lack of money for carrying on the government, and large sums were expended in building and strengthening castles. The accounts of Geoffrey de Geynville show that he was engaged in repairing and strengthening the castles of Athlone, Randown, Roscommon, Roscre, and Newcastle Mc Kynegan, and in other defensive works, as well as in expeditions into Connaught and against the Irish in the Wicklow mountains.³ In another chapter we shall give an account of the numerous dynastic contests that followed the death of Aedh, son of Felim, king of Connaught, and ultimately provoked the interference of the English. Here we shall endeavour to describe the position in Wicklow, where the Irish, during the next three centuries, were a chronic source of peril, becoming intermittently acute, to the English of the surrounding districts.

The
O'Byrnes
and
O'Tooles.

From the time of their expulsion by Dermot Mac Murrough and his Norman auxiliaries from the plains of Kildare, we hear little or nothing of the O'Byrnes and O'Tooles. They seem to have lived peaceably on the lower slopes and wooded valleys of the Wicklow mountains, where they carried on their clan life and organization. Ancestors of their ruling families had been chieftains

¹ Cal. Pat. Roll, 1 Ed. I, p. 29.

² Ibid., 2 Ed. I, p. 57.

³ See his accounts from August 15, 1273, to Michaelmas 1276: 36th Rep. D. K., pp. 40, 41; also the escheator's accounts of payments: *ibid.*, p. 33.

of Offelan and Omurethy respectively, and in a more remote past had supplied several of the kings of North Leinster, but since the invasion their lands in Kildare were held by Fitz Gerald's and de Ridelisford's, and those of the former inhabitants, who did not remain as tenants under the Norman lords, migrated to the defiles of the Wicklow mountains.

Here they were hemmed in on all sides by the English settlers. In the north-east at Bray there was the castle and extensive manor of the de Ridelisford's. South of this, in the half-barony of Rathdown, the descendants of Donnell Mac Gilla-mocholmog were left in undisturbed possession. He was the chieftain of South Dublin, who sat on the Thingmount during the Norse attack in 1171, and joined in with the winning side.¹ His son Dermot c. 1207 gave Kilruddery, south of Bray (now the beautiful demesne of the Earl of Meath), to Richard de Felde, from whose son, after a lawsuit, it passed to the abbot of St. Thomas.² John, son of Dermot, married Clarice, daughter of Gilbert Fitz Griffin, a nephew of Raymond le Gros, and the family, now thoroughly anglicized, continued to hold the manor of Rathdown at a rent of two otter-skins for some generations.³ More to the west and nearer to the mountains, was the territory known as Obruin (*ui Britin Cualann*), extending from Ballycorus to Delgany.

¹ *Ante*, vol. i, p. 241.

² Reg. St. Thomas, p. 150; the rent reserved was two bezants or 4s. In 1256 the abbot let the manor to Ralph de Nottingham for his life at a rent of 12 marks, and in 1259 to Hugh de Taghmun, Bishop of Meath, for twelve years at a rent of 15 marks (*ibid.*, pp. 175-9), showing the increasing value of the land.

³ Consult Journ. R. S. A. I., vol. xxiv (1894), p. 162.

12 EDWARD I AND HIS JUSTICIARS

It was inhabited by Irish betaghhs, and was usually let to farm at a rent of £51 11s. 6d.

Othee.

Further south was another extensive Irish territory called Othee (*ui Teigh*),¹ farmed in the reign of Henry III at £56 11s. 6d. a year. Near by was formed at an early date the royal castle and manor of Newcastle, to protect the king's demesnes in the north-eastern portion of County Wicklow, then included in County Dublin. It was called Newcastle Mc Kynegan,² to distinguish it from other 'Newcastles', and especially from Newcastle de Leuan (now Newcastle Lyons) in County Dublin, which also belonged to the king. The site of the castle was a low natural ridge overlooking the 'King's Way' from Bray to Wicklow. The extremity of the ridge was cut off from the remainder by a deep fosse and vallum, and the portion so isolated was scarped round and raised, so as to form a mote with an unusually roomy platform for the castle buildings. These buildings were, no doubt, at first of wood. The manor was usually let to farm at £31 2s. 6d. The castle had a long and troublous history, a slight sketch of which is given elsewhere.³

New-
castle Mc
Kynegan.

Wicklow.

The whole cantred of Wicklow, except the comote (*tuath*) of Arklow, was among the lands

¹ Both Obrun and Othee lay to the east of the mountainous district: Cal. Does. Ireland, vol. i, nos. 1757, 1769. 'O Ceallaigh is over East Ui Teigh': O Huidrin, Topogr. Poems, p. 89. This chieftain's name seems to be preserved in Farrankelly, a townland south of Delgany.

² It is called in the Annals of Connacht *Caislén nua ui Findacáin* (Ann. Loch Cé, vol. ii, p. 112), so that Mc Kynegan probably represents 'Mac Fhinnagain', where the initial 'f' would be silent.

³ See the paper by the present writer in Journ. R. S. A. I., vol. xxxviii (1908), pp. 126-40.

granted by Strongbow to Maurice Fitz Gerald.¹ From him it passed by descent to the barons of Naas,² and from them by marriage about the close of the thirteenth century to the family of de Londres. The castle of Wicklow, which was probably originally built by the Northmen, was situated at the extremity of a small rocky promontory jutting out into the sea, where its ruins buffeted by the waves may still be seen. It does not figure, however, in the wars of the thirteenth century, though it afterwards had some importance. Arklow was given by Prince John, *dominus Hiberniae*, to the first Theobald Butler,³ and the ruins of a Butler castle still stand on a bluff overlooking the river-mouth. Arklow.

Much of the more mountainous land had belonged to the Abbey of Glendalough, and in 1229 an extensive tract was freed by the Crown from forest laws, and acknowledged as part of the possessions of the see of Dublin.⁴ It consisted of three denominations: (1) 'Saufkevin or *Salvum Kevin*',⁵ presumably the region about the ecclesiastical centre at Glendalough; (2) 'Fertir' (*Fir tíre*), a name surviving in the Vartry, and comprising the wide upper basin of that river, and seemingly that of the river of Annamoe, from Luggalaw to Castle Kevin;⁶ (3) 'Coillach', a forest district on the western side of the main water-parting about Glendalough.

¹ Gormanston Register, f. 190; and see Giraldus Cambrensis, vol. v, p. 314.

² David Fitzwilliam, Baron of Naas, gave some of the lands there to his brother Maurice c. 1234; Gormanston Register, f. 190 d.

³ See *ante*, vol. i, p. 371, vol. ii, p. 203, note.

⁴ Cal. Docs. Ireland, vol. i, nos. 1757, 1769.

⁵ So called in the Pipe Roll, 19 Hen. III, where *salvum* seems to be used as equivalent to *sanctuarium*.

⁶ See 'Lagenia' (Wicklow), no. 17 Car. I.

Castle
Kevin.

the upper reaches of the Liffey and the Dodder. To keep order in this vast region, which so far as it was inhabitable was occupied mainly by Irishmen, the archbishop had a castle and manor at Castle Kevin, about one mile south-east of Annamoe, near the entrance to Glendalough, and here he held a court and, as in his other manors, exercised an almost unrestricted civil and criminal jurisdiction.¹ The remains of the castle, consisting of the ruins of small mural towers, stand on a square mote with steep sides—once apparently revetted with masonry—and surrounded by a deep ditch. There was a bailey to the east, and a small lake, now a morass, to the north.² Both this castle and Newcastle figure in the military operations at the commencement of Edward's reign.

Glenmal-
lure.

Parallel to and south of the valley of Glendalough is Glenmalure (*Glenn Maoilughra*) or Glyn-delory, as it is usually called in Anglo-Irish documents. It appears, from a deed transcribed in the Register of Archbishop Alan, that Fulk de Saunford, who was Archbishop of Dublin from 1256 to 1271, gave 'Glandelure' to Murtough O'Toole.³ It proved to be an unfortunate grant for the peace of the district. The upper part of the valley runs straight between precipitous rocky walls into the heart of the mountains, while the lower part, where it is more open, was rendered difficult of access by dense woods, some of which remain. It became the principal fastness

¹ See Historic and Municipal Docs. (Gilbert), p. 150: Inquisition made at Castle Kevin on the secular powers of the archbishop.

² For a fuller description with illustrations of Castle Kevin and a historical account of the place see the author's paper in *Journal R. S. A. I.*, vol. xxxviii (1908), pp. 17-27.

³ See *Journal R. S. A. I.*, vol. xxvii (1897), p. 420, from the *Liber Niger Alani*.

of the rebels in Wicklow, of whom at this time the O'Tooles were the chief. It was destined to be the scene of many a reverse to English arms, and three centuries later it was the stronghold of the O'Byrnes under their redoubtable leader Feagh Mac Hugh.

The cause of the outbreak at the commencement of Edward's reign does not appear. The rule of the archbishops over this wild region, to judge by the inquisitions into their secular powers, was not calculated to promote order. They seem to have habitually admitted to peace, for money-payments, outlaws (both English and Irish) guilty of homicide and robbery. On the other hand, from 1271 to 1279, during the period of the disturbances, the temporalities of the see were in the king's hand, in the custody of Master Thomas de Chaddesworth, who seems to have taken hostages of the O'Tooles and O'Byrnes from the first,¹ and as in other cases it is not improbable that the harsher rule of the king's seneschals was the immediate cause of the rising.

There were several expeditions to Glenmalure about this time. They are not mentioned in the regular Irish annals, and it is not always easy to assign the scattered references in the records to the particular expedition to which each belongs. The first advance was in 1274, when Geoffrey de Geynville was justiciar, and it ended in disaster. William Fitz Roger, Prior of the Hospital of St. John of Jerusalem at Kilmainham, who seems to have been in command, Oliver le Gras, sheriff of County Limerick, and others, were taken prisoners, and many were slain.² The prisoners

Expedi-
tion of
1274.

¹ See his account, *Cal. Docs. Ireland*, vol. ii, p. 313.

² *Laud MS. Annals*, *Chart. St. Mary's*, vol. ii, p. 318, and *Clyn's Annals*; and cf. *Pipe Roll (Ireland)*, 4 Ed. I, 36th

were soon released, probably in exchange for the hostages of the Wicklow clans who were brought from Dublin to Glenmalure at this time.¹ Next year 'Morydagh' was captured at Norragh in County Kildare by Walter l'Enfant.² The name stands for Muirheartach or Murtough, and it seems that he was Murtough Mac Murrough,³ styled King of Leinster at this time. The circumstances of his capture are not given, but it appears from the Escheator's accounts that there was an expedition to Glenmalure in this year,⁴ and presumably the Mac Murroughs rose in sympathy with the Wicklow clans. This Murtough Mac Murrough and his brother Art, who are believed to have been grandsons of Donnell Kavanagh,⁵ held lands within the liberty of Carlow under the second Roger Bigod, Earl of Norfolk, with whom

Rep. D. K., p. 33, where the expedition of a. r. 2 is distinguished from that led by Thomas de Clare in a. r. 4.

¹ 36th Rep. D. K., p. 37, where Thomas de Chaddesworth takes credit for 'expenses for the Prior of Kilmainham and Oliver le Gras when they came out of the prison of Glyndelur'; and *ibid.*, p. 40, where Geoffrey de Geynville in his account ending Michaelmas a. r. 2, takes credit for 'the cost of bringing the hostages from Dublin to Glyndelure'. In June 1175 William Fitz Roger was in England, and apparently reluctant to venture again into Ireland: *Cal. Docs. Ireland*, vol. ii, no. 1146.

² *Laud MS. Annals, Chart. St. Mary's*, vol. ii, p. 318.

³ In 1289 Walter l'Enfant in a petition to the king states that he was aggrieved with expenses for (among other things) the taking of 'Macmorwyth' (i.e. Mac Murrough): *Cal. Docs. Ireland*, vol. iii, p. 249.

⁴ 36th Rep. D. K., p. 33.

⁵ According to Duald Mac Firis and Keating, Murtough and his brother Art were sons of Donnell, son of Donnell Kavanagh. This is possibly correct, but their father could not have been the son of Donnell Kavanagh who was killed as a hostage by Rory O'Connor in 1170, as carelessly assumed by O'Donovan: *Journal R. S. A. I.*, vol. iv (1856-7), p. 121.

they were clearly on good terms. Art is spoken of as a kinsman of the earl.¹ They had in fact a common ancestor in King Dermot. Even after these disturbances, in 1279–81, Art was given a fee by the earl, presumably for policing the Irish districts within the liberty, and received gifts of wine and robes.²

There was another expedition to Glenmalure early in 1276. This time the principal opponents seem to have been the Mac Murroughs.³ They were probably led by Art Mac Murrough, who had his brother's capture to avenge and, if possible, his liberation to effect. Geoffrey de Geynville himself led 2,000 vassals from his lordship of Meath, while Maurice Fitz Maurice brought a contingent of 'Connaught hinds'.⁴ The chief command in the field, however, was committed to Thomas de Clare, Maurice's son-in-law. He had a personal interest in the success of the expedition, for he was promised a general summons of knights' fees or other services due to the king's army, to pacify his newly-granted land of Thomond, conditionally on the men of Glenmalure coming to the king's peace.⁵ Supplies were sent to Newcastle Mc Kynegan, which seems to have been the base of operations. The expedition appears to have fared as badly as that of 1274. If we can trust the Annals of Clonmacnois, Mac Murrough 'gave

Expedi-
tion of
1276.

¹ Cal. Docs. Ireland, vol. ii, no. 1873.

² See the accounts of the earl's ministers: Hore's History of County Wexford (Old and New Ross), pp. 14–18, and 143–6.

³ 36th Rep. D. K., p. 37, where the expedition of a. r. 4 is called 'the war of the Macmurchys', and cf. Ann. Clonmacnois, 1276. The regular Irish annals do not mention these Wicklow risings.

⁴ Cal. Docs. Ireland, vol. ii, no. 1389.

⁵ Ibid., no. 1191 (January 26, 1276).

Robert
d'Ufford
justiciar.

Expedi-
tion of
1277.

a great overthrow to the Deputy and killed many of his army and wounded himself [the Deputy] grievously. He also took hostages of the Englishmen and caused them to eat their horses in Glen [malure] for famine'. Certain it is that there was now a change of justiciars and a new expedition was deemed necessary. In June 1276 Robert d'Ufford was appointed justiciar for the second time with a salary of £500 a year and very ample powers. All the issues of Ireland were placed at his disposal for the custody and amelioration of the land, and all the king's castles were to be committed to his nominees.¹ Before Michaelmas 1277, with Thomas de Clare and other magnates, he led another army to fight the rebels and king's enemies of Glenmalure, this time using Castlekevin, nearer to the scene of operations, as base.² Before the year was out the justiciar was able to report to the king that 'his affairs in Ireland were much improved', and that 'the thieves who were in Glendelory had departed, many of them having gone to another strong place'.³

The new castle of Mc Kynegan was now rebuilt, and it seems that the original wooden buildings and palisading were replaced by a stone tower and other edifices.⁴ Castlekevin was also fortified and constructed anew.⁵ Parts of the lands of Obrun

¹ Cal. Patent Rolls, 4 Ed. I, pp. 149-50.

² 36th Rep. D. K., p. 36; Cal. Docs. Ireland, vol. ii, p. 267.

³ Cal. Docs. Ireland, vol. ii, no. 1400.

⁴ Ibid., pp. 309, 422-3, 440, 535-6; and 36th Rep. D. K., pp. 53, 59. For further details and a sketch of the history of 'Novum Castrum Mc Kynegan' see the author's paper, Journal R. S. A. I., vol. xxxviii (1908), pp. 126-140.

⁵ Ibid., p. 267, and 36th Rep. D. K., p. 36, and the author's paper with illustrations 'Castrum Keyvini', Journal R. S. A. I. (as above), pp. 17-27.

and Othee were given to Englishmen on permanent tenures,¹ and among these it seems probable that now or a little later the lands in Obrun, famed for their beauty, and known to-day and for many centuries past as Powerscourt, were granted to a Le Poer. The original grant does not appear to be forthcoming, but in 1296 Eustace le Poer, who was ancestor of the Le Poers of Curraghmore in County Waterford, and had taken part in the victorious campaign in Scotland in this year, received a grant from the Crown of free-warren in his demesne-lands of (amongst other places) Obrun, in the then County of Dublin,² and probably from him the name of Powerscourt became attached to the place. At the same time the king gave him some deer from the neighbouring royal park of Glencree to stock his demesne.³

Powers-
court.

We hear no more of disturbances in Wicklow till 1295, but the Mac Murroughs seem to have broken out again. In 1281 Murtough Mac Murrough was a prisoner in Dublin,⁴ and next year compensation was paid to the Irish betaghs and others in the vale of Dublin for depredations made by Art Mac Murrough.⁵ A price was put on Art's head, and the two brothers were put to death by the English at Arklow on July 21, 1282.⁶

The
Mac Mur-
roughs.

¹ In 1283 Ralph le Mareschal was granted lands at Bali-macorus in Obrun: Cal. Docs. Ireland, vol. ii, no. 2069; and William le Deveneys other lands there: *ibid.*, 2070; while in 1284 William Burnell was granted lands in Glencappy (Glen of the Downs?) in Othee: *ibid.*, no. 2199, and cf. no. 2329, where 'Othe' is identified with 'Howth'!

² Charter Roll, 25 Ed. I, m. 3; Cal. Docs. Ireland, vol. iv, no. 347, where the editor ignorantly identifies Obrun with Brownstown, wherever that may be.

³ *Ibid.*, no. 352.

⁴ Cal. Docs. Ireland, vol. ii, p. 401.

⁵ *Ibid.*, p. 440.

⁶ Laud MS. Annals and Ann. Loch Cé.

Such are the bare facts to be gleaned from the records and annals, but the circumstances are obscure. The Earl of Norfolk, who visited his lands in Ireland in 1279–80, obtained a safe-conduct for Murtough and Art to go with him to England in July 1280, and for Art and others in November 1281, to go to him in England and return,¹ with a view no doubt to their coming to the king's peace. It seems that Murtough took advantage of the earl's friendly offices,² but in April 1283 the earl complained to the king of the justiciar's action with regard to Art's 'head-money', stating that Art's head had not been proclaimed with his consent (as lord of the liberty of Carlow), and that Art was at peace with the king before his death.³

Economic
policy.

Edward did not confine his efforts merely to repressing disorders and strengthening the military defences of Ireland; he also exhibited a sagacious concern in promoting its economic interests. Thus among the instructions that he gave to Geoffrey de Geynville, the first justiciar of his personal choice, was a mandate to proclaim throughout Ireland that all merchants might securely come to that country with their merchandise, and freely carry on their trade subject to lawful and ancient customs without further exaction.⁴ The substitution of a fixed impost for arbitrary exactions was

¹ Cal. Docs. Ireland, vol. ii, nos. 1716 and 1873.

² Ibid., vol. iii, p. 70.

³ Ibid., vol. ii, no. 1919; and cf. *ibid.*, nos. 2333 and 2338.

⁴ Cal. Pat. Rolls, 1 Ed. I, m. 5. This, indeed, had been provided by the Great Charter of Ireland 1216: *Early Statutes* (Berry), p. 16; and a mandate in 1220 directed the justiciar not to take prises from foreign merchants without giving satisfaction at once: *Rot. Claus.*, 4 Hen. III, p. 341.

a great encouragement to foreign merchants, and there was a large increase in foreign trade during Edward's reign. In the first general parliament held at Westminster in April 1275, including knights of the shire and representatives of the market-towns, the magnates and commonalty, 'at the instance of the merchants' themselves, granted the king a custom on the export of wool, woollfells, and leather.¹ In the same year a similar grant was made in Ireland,² and the result was a considerable increase to the revenue, while the principle was introduced of making foreign commerce bear a share of the burden hitherto borne almost exclusively by the land.

While Geoffrey de Geynville was still justiciar the king thought to put an end to the anarchy in Thomond by granting the whole territory to Thomas de Clare. In another chapter we shall follow in some detail the fortunes of this experiment. During the lifetime of Thomas de Clare it met with some success, but the O'Brien factions were as bitterly opposed to each other as the O'Connor factions, and one of them proved an uncompromising opponent of the English settlers. After forty years of precarious existence the English colony, which never extended much beyond the confines of the barony of Bunratty Lower, was practically wiped out.

In his report to the king referring to the departure of 'the thieves' from Glendelory, Robert d'Ufford, the justiciar, goes on to state that the Irish offered 7,000 marks for a grant from the king of the common laws of the English, and to

Grant of
Thomond.

Question
of the
grant of
English
law.

¹ Parliamentary writs 1, 2. Stubbs's Select Charters (ed. 1913), pp. 440-4.

² Cal. Docs. Ireland, vol. ii, no. 1117.

request the king's pleasure thereupon.¹ To this the king replied that it seemed meet to him and his council that a grant of English laws should be made, 'because the laws which the Irish use are detestable to God, and so contrary to all law that they ought not to be deemed laws'. The king therefore commanded the justiciar to ascertain the opinion of the prelates and magnates of Ireland, and having bargained for a higher fine and a supply of foot-soldiers, to arrange what might seem most for the king's honour and advantage.² The sincerity of Edward's desire that all the Irish should be governed by English law is beyond question. At this very time he was attempting to override the laws and customs of Wales in the four cantreds ceded to him by Llewelyn, and to introduce English law there—an attempt which, it is significant to note, was the immediate cause of the revolt of 1282.³ It was, however, easier to lead armies into Wales than into Ireland, and Edward's energy soon served to effect the conquest of the Principality, and to girdle his newly-won lands with stronger castles than had ever been seen in the country before. But he was not prepared to take equally effective steps in Ireland. In June 1280, however, he returned to the subject which he had at heart, and with greater emphasis commanded the magnates to debate the question whether he could make the concession without prejudice to them, and to lay before him all the circumstances touching the concession with their

¹ Cal. Docs. Irel., vol. ii, no. 1400.

² Ibid., no. 1408 ; Foedera, vol. i, p. 540.

³ See The Political History of England, 1216-1377 (T. F. Tout), pp. 160-1, and England in the Later Middle Ages (K. H. Vickers), pp. 23-24.

advice.¹ We do not know their answer, but presumably they pointed out the unreality of the proposal and the utter impracticability of its enforcement over large tracts in Ireland, if, indeed, the actual proposal was correctly interpreted or rightly understood by the king, which is more than doubtful. Inasmuch, however, as this supposed wilful refusal to extend the laws of England to all Irishmen has been made the subject of a grave charge against the Irish government, or against the magnates of Ireland, it seems necessary to examine the grounds of the charge a little further.

Sir John Davies, attorney-general in Ireland, writing in 1612, contends that one of the chief defects of the civil policy in Ireland which impeded the perfection of the conquest was 'that the Crown did not from the beginning give laws to the Irish'. We have already considered this criticism and showed that Sir John inverts cause and effect, that it was clearly impossible to subject the Irish to English law until the conquest had been perfected,² as it may be said to have been shortly before Sir John's time. By way, indeed, of meeting the obvious objection, that the Irish would have resisted to the uttermost the imposition of English law, Sir John refers to a petition mentioned by Edward III in 1328, and said to have been made by 'divers men of Ireland', to the effect that all Irishmen who should wish it might use English laws, without the necessity of obtaining from the Crown charters for that purpose.³ Sir John argues from a part—and

View of
Sir John
Davies
con-
sidered.

¹ Cal. Docs. Ireland, vol. ii, no. 1681; Foedera, vol. i, p. 582.

² *Ante*, vol. ii, pp. 332-5.

³ 'Discovery' (edition 1787), pp. 87, 88, and see Cal. Close Rolls, 2 Ed. III, p. 312. Sir John does not refer to the

a very small part—to the whole, and ignores the plain teaching of Irish history. Some modern writers further misrepresent the facts, and press still further the faulty argument. Thus, one writer states that ‘on two well-known occasions—meaning that referred to by Sir Robert d’Ufford and the petition of 1328—the general body of the Irish petitioned the king that an act might be passed to make all the Irish subject to the English law’.¹ But it is quite certain that on neither occasion was there any request made by ‘the general body of the Irish’, and that in particular no intimation was received from the independent or semi-independent Irish of their willingness to abandon the Brehon Law for the Common Law of England. There was, indeed, no person or body corporate who could speak for the Irish in general, while we know that there was nothing the Irish clung to with more tenacity than their traditional laws and customs. It is probable that Sir Robert was speaking only of the Irish of Wicklow with whom he was in fact dealing. He may have been approached by some of the more peaceably inclined leaders of the O’Tooles and O’Byrnes who remained in Wicklow, when ‘the thieves’ (i. e. their more turbulent rivals) had for the moment departed, and who were anxious to secure their lands in that district, and obtain the protection of English laws, and the assistance of English arms against their rivals. But in the light of the subsequent history of the Wicklow clans it is difficult to believe that,

report of Sir Robert d’Ufford in 1277 and the king’s mandates thereon, though these would seem at first sight to be more to his purpose.

¹ Joyce, *Short History of Ireland*, vol. i, p. 298.

however friendly the chiefs may have been, they could have persuaded their clansmen to give up their communal rights for the land-system of England, or to authorize English judges to hang their evil-doers. If such were the object, the negotiations were doomed to failure. It seems clear, at any rate, that the question mooted in 1328 was a much smaller as well as a more practical one, and was virtually whether all Irishmen in the feudalized districts might plead in the king's courts on equal terms with Englishmen, or whether, as theretofore, the privilege should be confined to those Irishmen to whom it had been specially granted by the Crown. The whole tendency of judicial decisions had been towards restricting the efficacy of the plea that the plaintiff was *Hibernicus servilis conditionis*. In nearly every reported case the plea failed. Such was the result in all the cases, save one, cited by Sir John Davies.¹ In the excepted case the defendant charged with the killing of an Irishman, though not convicted of 'felony', was committed to gaol until he should find pledges for a fine of five marks to be paid to the king. This, the usual punishment in such cases, may be compared with the 'eric' of Irish law. The plea was regarded by the judges as an *exceptio odiosa*, to be construed strictly against the person relying upon it, and where it was unsuccessful the plaintiff in general won his suit without further trial, and the defendant who failed in the plea was often committed to gaol.²

Before 1328 some further steps towards widen-

¹ Discovery, &c. (edition 1787), pp. 78-84.

² See Justiciary Rolls, vol. i, p. 158, and consult Index of Subjects.

ing the enfranchisement of *hibernici* in the feudalized districts had been taken. Power had been given to Roger Mortimer, Lord of Meath, Thomas, Earl of Kildare, and John de Bermingham, Earl of Louth, to receive into English law all their men and tenants;¹ and in 1321, all who were admitted to use English law were to use the English law of life and limb, and were to be treated according to the custom of the English, saving the lord's rights in the goods and chattels of betaghs so admitted.² Finally, the question raised in 1328 was expressly decided three years later, when it was enacted 'that one and the same law be made as well for the Irish (meaning necessarily the Irish in districts where the king's writ ran) as for the English, except the service of betaghs in the power of their lords in the same manner as is used in England concerning villeins'³. If this law, which seems a wise and just one, was not always observed, it was only one of the many examples of the decay of English power in Ireland which set in rapidly from about this time. The problem which then confronted the Irish government was not how to induce the Irish generally to submit to English law—that without the application of force was always hopeless—but how to prevent the English in Ireland

¹ Cal. Patent Rolls, 12 Ed. II, pp. 339, 342. It would seem that the lords of liberties had this power from early times. Thus, in 1299 Walter O'Toole produced in court a charter from Earl William Marshal granting to his great-grandfather and his heirs that they might use English laws: Justiciary Rolls, vol. i, p. 271.

² Early Statutes (Berry), p. 292.

³ Ibid., 5 Ed. III, p. 325. In England the distinction in the law of *murdram* pointed out in the *Dialogus de Scaccario*, between the case of freemen and that of men *servilis conditionis*, was not finally repealed until 1339.

from adopting Irish law and its 'lewd customs' and disregarding the law of England.

But in spite of dynastic disputes among both the O'Brien and the O'Connor factions, and of disturbances caused by the Wicklow clans, the trade, wealth, and general prosperity of the districts where English rule was effective—that is to say in about two-thirds of Ireland—advanced at this period by leaps and bounds. In the final chapter of this volume we shall adduce evidence of the growing trade and increasing wealth of Ireland under Anglo-Norman rule. Here we shall say something about the revenue.

From the beginning of the reign of Edward I the accounts of the treasurer, the justiciar, the escheator, and the various sheriffs have been better preserved, and were seemingly more strictly audited than at any previous time, and they suffice to show that large and increasing sums were received, and for the most part expended, in Ireland. In the year 1276 the escheator accounted for £3,155, issues of vacant bishoprics and of wardships in the king's hand,¹ and this was exclusive of the issues of the Archbishopric of Dublin, which was vacant owing to a double election for seven years and a half from 1271, and was in separate custody. Its issues during this period amounted to about £1,300 a year.² The escheators accounts appear at irregular intervals, and some are missing. The next account, in continuation of the above, was in 1282, when the receipts amounted to £7,280.³ The receipts of the justiciar, Geoffrey de Geynville,

The
revenue.
Large
receipts.

¹ Pipe Roll, 36th Rep. D. K., pp. 30-3.

² Ibid., pp. 36-7 and 40-1.

³ Ibid., pp. 60-4.

from August 1273 to Michaelmas 1276 amounted to £7,916,¹ while those of his successor, Robert d'Ufford, from July 1276 to March 1280 were £11,290.² The receipts, acknowledged by the treasurer in the four years ending with Michaelmas 1278, amounted to £14,662,³ or on the average £3,665 a year, and in the six years ending June 1284 amounted to a little over £35,000,⁴ or about £5,840 a year.

Stephen
de Ful-
burne,
treasurer.

Unfortunately the treasurer's receipts afford no true index of the revenue for two reasons: In the first place the whole revenue did not pass through the treasurer's hands. Both the escheator and the various sheriffs paid considerable sums to the justiciar, or expended them by his direction on military expeditions, works of fortification, &c. And, secondly, because the accounts of this treasurer were seriously challenged. He was Stephen de Fulburne, brother of the Hospital of St. John of Jerusalem in England. He was sent by the Crown to Ireland in 1270 to collect the ecclesiastical tenth. In 1274, 'at the king's request', he was elected bishop of Waterford, and in September of that year the office of the treasury of the exchequer was committed to him.⁵ He was *locum tenens* of Robert d'Ufford during the latter's visits to England, and in November 1281, when Robert d'Ufford had become incapacitated by infirmity,

¹ Pipe Roll, 36th Rep. D. K., pp. 40-1.

² Ibid., pp. 35-6 and 48-9.

³ Cal. Docs. Ireland, vol. ii, nos. 1038, 1294, 1389, 1496.

⁴ Ibid., no. 2327. Of course in computing the revenue we cannot simply add together the receipts of these various officials, as some of the escheator's receipts were paid into the treasury, and most of the justiciar's receipts issued from the treasury.

⁵ Cal. Docs. Ireland, vol. ii, nos. 1009, 1034.

was appointed to succeed him as justiciar. Clearly Brother Stephen was a highly-trusted servant of the Crown. Nevertheless, many complaints amounting to charges of peculation were made against him, and when his accounts were audited in 1285, great omissions and irregularities were noted, and in the result he was found to owe to the king £13,235.¹ He was superseded in the office of treasurer by Nicholas de Clere, who had been one of a commission to inquire into the state of the exchequer, and to make a view of the treasurer's accounts, but he did not altogether lose the king's confidence, as (subject to a bond to the king for £4,000) he was pardoned all arrears, and was retained in the office of justiciar at a salary of £500.² In July 1286 he was promoted to the archbishopric of Tuam, and he died in July 1288.

It does not seem possible at present to ascertain with precision the total amount of the annual revenue of Ireland in the reign of Edward I. It varied from year to year, and the proceeds of some sources of revenue cannot be fixed. The Pipe Rolls and certain exchequer memoranda, indeed, contain much more plentiful materials for this purpose than are available for any former time, but these await full publication, examination, and analysis, before they can be made to yield all the information they may contain. Without

¹ For the charge against Stephen de Fulburne, see Indexes to Cal. Docs. Ireland, vols. ii and iii. For the 'view of his account' see *ibid.*, vol. ii, nos. 2284, 2327, and vol. iii, nos. 42 and 59. In judging the validity of these charges it must be borne in mind that Stephen's principal accuser was Nicholas de Clere, who superseded him, and against whom still graver charges were made in 1290-2.

² Cal. Docs. Ireland, vol. iii, nos. 117, 121, 122, 129.

attempting to examine and analyse incomplete documents, some further figures may be given which will help to form a rough estimate.

Some memoranda of the exchequer, compiled about the year 1284, probably in connexion with the audit of the accounts of Stephen de Fulburne, contain a detailed statement of the amounts usually received from certain particular sources.¹

From these memoranda it appears that what are called the 'profits of the counties', i.e. of the various county courts, amounted at the highest to £365 7s. 6d. Some of the figures given can be verified from the Calendar of Pipe Rolls, but it is manifest from the sheriffs' accounts that these profits bore only a small proportion to the amount received by them from other sources, and paid into the treasury or otherwise expended on the administration. Then the rents of assize given in detail, i.e. the fixed rents at which the various royal cities, boroughs, manors, and other Crownlands were usually let to farm, amounted to £2,476 0s. 11³/₄d. The money value of the military services due to the king when summoned (the service in respect of each knight's fee being valued at forty shillings) amounted to £837. Then there were the prisage of wines, and the profits of the mint, the values of which were too uncertain or too obscure to be set down. Over and above these sources there were the issues of

'Profits
of the
counties.'

Rents of
Assize.

Military
services.

¹ See in particular Cal. Docs. Ireland, vol. ii, no. 2329. A nearly similar statement of 'rents of assize', with a detailed account of the 'royal services', is transcribed (with many errors) in the Book of Howth, pp. 228-34, and also in a MS., preserved in Corpus Christi College, Cambridge. This last, which contains some additional matter, has been edited by Miss Mary Bateson in *English Historical Review*, vol. xviii (1903), pp. 497-513.

the escheatry, averaging about £2,000 a year, the proceeds of the custom on wool and hides, which were upwards of £1,500 a year, and occasional aids and subsidies, and the king's share of the Papal Tenths, to be mentioned hereafter. Altogether we shall probably not be far wrong if we make a rough estimate of the revenue of Ireland during the last quarter of the thirteenth century as exceeding £10,000.

Escheatry
and custom
on
wool.

The king was absent in France from May 1286 to August 1289, and during his absence his cousin, Edmund Earl of Cornwall, was regent. Affairs in Ireland, as in England, got somewhat out of hand. Officials took advantage of the greater laxity of control to misuse their positions for the purpose of private gain, and there were numerous charges and complaints of peculation, extortion, and oppression against the justiciar, the treasurer, certain sheriffs, and others. On his return Edward at once took steps to investigate these charges and complaints, and to see that justice was done.¹ In particular Nicholas de Clere, the treasurer, was imprisoned, and a fine of 500 marks imposed on him for his transgressions.²

Meantime, on the death of Stephen de Fulburne, John de Saunford, Archbishop of Dublin, was appointed by the king's council Keeper of Ireland until the king should otherwise provide. He was brother of Fulk de Saunford, a former Archbishop of Dublin, and had been escheator of Ireland from 1271 to 1285. During the two years of his tenure of office he visited many parts of Ireland

John de
Saunford,
Keeper,
1288.

¹ See the king's answers to the numerous petitions apparently invited by him at this time: Cal. Docs. Ireland, vol. iii, nos. 558, 622.

² Ibid., vol. iv, no. 472. For the many charges against Nicholas de Clere see *ibid.*, vols. iii and iv, index.

with a view to keeping or restoring order, but he was principally engaged in defending the English of Leinster against the depredations of the Irish of Offaly and Leix, who had recently begun to give trouble.¹

Leix and
Offaly.

In the partition of Leinster, the honour of Dunamase, which included the greater part of the territory of Leix in the present Queen's County, fell to the lot of Roger de Mortimer of Wigmore, in right of his wife, one of the three daughters of Eva Marshal.² There were several free tenants, but much of the land seems to have been let to the Irish, who up to about the time of the death of Roger de Mortimer in 1282, seem to have been generally peaceable.³ Offaly, which lay to the north of Leix, had been granted by Strongbow to Robert de Bermingham, and, as we have seen,⁴ had come to the Geraldines through the marriage of Gerald, son of the first Maurice Fitz Gerald, with Eva de Bermingham, heiress of Strongbow's grantee. Settlements were soon effected by the barons of Offaly in the southern strip of the district, where their principal castles were at Lea on the Barrow, above Monasterevin, and at Geashill. John Fitz Thomas of Desmond held from them the *tuath* of Iregan, still further to the west, near Slieve Bloom, and, as early at least as 1234, we find Peter de Bermingham holding Tethmoy, apparently under Maurice Fitz Gerald, the justiciar.⁵ Tethmoy was the name by which the

¹ See the archbishop's detailed account of his journey and expeditions, *ibid.*, vol. iii, no. 559. ² *Ante*, vol. iii, p. 104.

³ See the Inquisition taken at his death: *Cal. Docs. Ireland*, vol. ii, no. 2028; *Cal. Inquis. P. M.*, vol. ii, pp. 267-8.

⁴ *Ante*, vol. iii, p. 113.

⁵ *Close Roll*, 18 Hen. III, p. 157. Tethmoy represents the Irish *Tuath dá Muighe*.

north-eastern corner of Offaly was known, and the parish of Castro-petre or Monasteroris preserves the name of Peter (de Bermingham) in the Latin and the Irish form respectively.¹ After the death of the third Maurice Fitz Gerald, who was drowned when crossing the Channel in 1268, there was a long minority, and it would seem that Gerald his son and heir had to fight for his inheritance. In 1284, when Gerald was at most just of age, the castle of Lea was burned by the Irish of Offaly, and next year Gerald himself was taken prisoner by them.² In 1286, Calvagh O'Connor, one of the chiefs of Offaly, was captured and imprisoned in Dublin Castle, but he seems soon to have escaped. In 1287, when he was not more than twenty-three years of age, Gerald Fitz Maurice died,³ possibly from wounds received in fight with the Irish of Offaly. While he lay on his death-bed at Rathangan on June 26 he made over the castle of Lea,⁴ and (it is said) all his inheritance, to the son of his 'Welsh uncle', John Fitz Thomas, who

¹ The Berminghams were called by the Irish 'Mac Feohraís' 'Son of Piers', and the monastery which was founded by John de Bermingham, Earl of Louth, was called *Mainistir (Fh)eorais*.

² Clyn's Annals, Laud MS. Annals, *sub annis*.

³ Clyn's Annals, 1287. It is indeed stated in the Dublin copy of the Annals of Inisfallen, that Gerald Fitz Maurice was killed along with Thomas de Clare in battle with Turlough O'Brien, but this statement appears to have been due to the blunder of the compiler and must be rejected: see *infra*, pp. 99-104.

⁴ A letter of attorney from Gerald, son of Maurice, lord of Offaly, appointing John, the clerk, formerly provost of Lea, to deliver full seisin of the manor of Lea, to John, son of Thomas, and dated at Rathymegan June 26, 1287, is transcribed in the Red Book of the Earl of Kildare, f. x d. Clyn says: 'hereditatem suam dedit domino Iohanni filio Thome filio adwunculi sui.' John was son of Gerald's paternal great-uncle.

34 EDWARD I AND HIS JUSTICIARS

now, since the death in 1286 of Maurice Fitz Maurice, was his nearest representative in the male line.

In 1288, John Fitz Thomas, now lord of Offaly, and his liege-man Peter, son of James de Bermingham of Tethmoy and grandson of the above-mentioned Peter,¹ were commissioned by the justiciar, John de Saunford, to guard the marches from Tethmoy to Rathangan. They were, however, worsted in an encounter with Calvagh O'Connor, and in the autumn of 1289, after many vain parleys with the rebels, the justiciar led the feudal host of Leinster against the Irish of Offaly, with the result that they came to the king's peace.² Nevertheless, from about this time we may begin to trace the growing independence of the O'Conors of Offaly and the O'Mores of Leix.

William
de Vesey,
justiciar,
1290.

On September 12, 1290, Sir William de Vesey was appointed justiciar. As son and heir of the eldest of Sibyl Marshal's seven daughters he held the castle manor and liberty of Kildare. Except for recurrent risings of the Leinster clans, the Irish

¹ See my 'Notes on the Bermingham Pedigree': *Galway Archaeological Journal*, vol. ix, p. 198. There is an interesting deed of fealty in the Red Book of the Earl of Kildare (f. iii d), dated April 26, 1289, by which Peter, son of James de Bermingham, acknowledges that he has sworn 'quod fidelis ero Iohanni filio Thome, auxilium meum consilium et servitium contra omnes gentes, salva fide regia [*sic*], in omnibus suis negotiis et agendis integre et fideliter eidem prestando . . . eidem etiam Iohanni familiaris ero quoad vixero, robas suas capiendo et portando pro me et duobus sociis pro voluntate mea eligendis.'

² See *Cal. Docs. Ireland*, vol. iii, no. 559, where the archbishop gives a detailed account of the expenses of his numerous journeys to divers parts of Ireland in the years 1288-90. For the encounter with Calvagh see *Ann. Loch Cé*, 1289, where John Fitz Thomas is apparently meant by 'Mac Muiris'.

were comparatively quiet during his term of office and indeed during the remainder of Edward's reign, but the justiciar had much litigation with the Abbot of St. Thomas's, the Bishop of Kildare and others,¹ as well as a violent dispute with John Fitz Thomas, to which we shall refer when we come to describe affairs in Connaught at this period. In 1294, probably taking advantage of this dispute, the men of Offaly took the castle of Kildare and Calvagh O'Connor burned all the rolls and tallies of the county.² The O'Conors of Offaly and some adjoining clans continued to harass their English neighbours on all sides. In the summer of 1299 the magnates of Meath and Kildare agreed to aid Peter de Bermingham 'to maintain his war which the Irish felons of the parts of Offaly raised against him and to repress the malice of the Irish themselves and to clear their passes'. The aid consisted in the payment of £100 as wages for 400 footmen in addition to Peter's own men to be levied off the free-tenants of Meath and Kildare.³ We hear of no immediate fighting, but in 1305 Peter de Bermingham earned his £100 and a bad name in history by the action he took against the common enemy. According to the Irish Annals, Murtough O'Connor Faly, Maelmora his kinsman, and Calvagh [his brother] with twenty-nine others were killed by him in his castle 'through treachery and deceit'.⁴ The monastic annals ascribe the

Peter de
Berming-
ham and
the
O'Conors
Faly.

¹ Cal. Docs. Ireland, vol. iv, pp. 52-7.

² Laud MS. Annals, p. 323.

³ Justiciary Rolls, vol. i, p. 286.

⁴ Ann. Ulster, Ann. Loch Cé. This act was cited as an example of the perfidy of the English by Donnell O'Neill and his associates in their letter to Pope John XXII, when giving reasons for seeking aid from Edward Bruce and constituting him king and lord in Ireland.

deed to Jordan Comyn at Peter's castle of Carrick in Carbury.¹ The merit or demerit of the deed, however, rests with Peter, for on July 2, 1305, John Wogan, the justiciar, authorized the payment to Peter of £100 granted to him 'to subdue Irish felons of Offaly of the race of O'Conors and to decapitate the chiefs of the same race'. Peter, it is added, had already sent the heads of Murtough and Maelmora O'Connor and of sixteen others to Dublin.² It is clear that a price had been put on their heads. Nor was this the only example in Edward's reign of this pernicious policy, sure to induce unscrupulous men to resort to discreditable means of winning the reward. A price was put upon the heads of Murtough and Art Mac Murrough in 1282, and some time before on the head of Donnell Og O'Donnell. The latter, however, fell in fair fight at the battle of Disertcreaght in 1281.

Finn
O'Demp-
sey.

But it was not only English settlers who suffered from the raids of the O'Conors Faly and other neighbouring clans. In January 1306, O'Dempsey, chieftain of Clanmalier, a territory lying on both sides of the Barrow in the present baronies of Portnahinch and Upper Philipstown, in a petition to the justiciar and council showed that the O'Conors of Offaly, O'Dunn of Iregan (now the barony of Tinnahinch), Mac Gillapatrik of Upper Ossory, Mageoghegan of Kenaliagh (the barony of Moycashel, Westmeath), and O'Molloy of Fircall (the baronies of Eglisk Ballyboy and Ballycowan in King's County) and their confederates 'do not cease to fight and injure him and others who adhere to the king's peace', and he prayed aid against them. This was granted, and provision

¹ Laud MS. Annals, p. 332.

² Cal. Docs. Ireland, vol. iv, no. 434; Justiciary Rolls, vol. ii, p. 82.

was made on a small scale for a joint expedition by him and John Fitz Thomas.¹ In the following June, John Fitz Thomas, Peter de Bermingham, and O'Dempsey received payment for beheading divers felons, including O'Dunn.²

In October 1294, William de Vescy was superseded as justiciar by William de Oddingeseles, who is said to have come from Maxstoke in Warwickshire.³ He had, however, been already employed on the king's service in Ireland. For some time prior to August 1290 he held the custody of the king's castles of Roscommon and Randown, and in Easter week 1289, with Walter l'Enfant he had acted as lieutenant of John de Saunford, the justiciar, in some operations taken in conjunction with Manus O'Connor, king of Connaught, against O'Melaghlin of Meath.⁴ The king now granted to him the land and castle of Dunamon near Roscommon,⁵ but he died in April 1295, after only six months' tenure of office.

William
de Oddin-
geseles,
justiciar,
1294.

Thomas Fitz Maurice of Desmond, son of the Maurice who, with his father John, was slain at Callann in 1261, was now appointed by the King's Council in Dublin as keeper of Ireland. The imprisonment of the Earl of Ulster by his turbulent tenant and rival, John Fitz Thomas of Offaly, in the previous winter (to which we shall return in a later chapter) had created a great commotion,⁶ and in the spring of 1295 the Mac Murroughs and

Thomas f.
Maurice,
justiciar,
1295.

¹ Justiciary Rolls, vol. ii, p. 215.

² Ibid., p. 270.

³ See Gilbert's 'Viceroy's', p. 112.

⁴ Cal. Docs. Ireland, vol. iii, no. 683; and p. 270, where *a. r.* 18 seems to be a mistake for *a. r.* 17; cf. p. 269 and Ann. Loch Cé, 1289.

⁵ Cal. Docs. Ireland, vol. iv, nos. 177, 184.

⁶ See *infra*, pp. 116-19.

the Wicklow clans, taking advantage of the general disturbance, again broke out and laid waste Newcastle Mc Kynegan, and some other towns in Leinster.¹ Thomas Fitz Maurice now organized an expedition on a considerable scale against the insurgents. The feudal services were proclaimed, and amongst others the Earl of Ulster and John Fitz Thomas attended with their contingents.² Though the feud between them was unappeased, both were willing to co-operate with the justiciar against the Irish enemy. The muster-ground was at Castledermot. Newcastle Mc Kynegan, Castlekevin, Ballymore, and other places on the skirts of the mountains were strongly guarded. We have no record of the fighting, but in the result, on July 19, the justiciar received to the king's peace Maurice (Murrough), son of Murtough Mac Murrough 'with all his nation and following' on condition of his giving certain hostages for the Mac Murroughs, O'Tooles, and O'Byrnes respectively, paying a penalty of 600 cows, and making satisfaction for damages done to the betaghs and other tenants of the king or of the archbishop, the betaghs and others making like satisfaction to Mac Murrough.³ Finally Mac Murrough swore under forfeiture of his hostage that he would with all his power make war upon the O'Byrnes and O'Tooles if either should attempt anything against the king or infringe this covenant.⁴ The covenant, however, was infringed and the oath violated in the winter of 1301-2.⁵

¹ Laud MS. Annals.

² Cal. Docs. Ireland, vol. iv, pp. 123-4.

³ Here we have an example of betaghs fighting against an independent Irish clan and being protected by their lords.

⁴ Justiciary Rolls, vol. i, p. 61.

⁵ Cal. Docs. Ireland, vol. v, p. 5.

Though Thomas Fitz Maurice had been favoured by the king, who had given him 'his cousin' in marriage and had granted him the lands of Decies and Desmond,¹ he was not long retained in office. Perhaps it was thought unsuitable to have a Geraldine in office while the quarrel between John Fitz Thomas and the Earl of Ulster was not settled. On October 18, 1295, the king appointed John Wogan as justiciar, and on the same day commanded both John Fitz Thomas and the earl not to inflict any evil on each other whereby the peace might be infringed.²

John
Wogan,
justiciar,
1295.

Unlike his immediate predecessors, Sir John Wogan retained his post almost continuously for the long period of eighteen years. He belonged to the Pembrokeshire family of that name and was lord of Picton Castle near Haverford.³ He may have owed his favour with King Edward to his lord and patron, William de Valence, Earl of Pembroke and uncle of the king. It was perhaps his Cambro-Norman extraction and connexions that enabled him to understand the temperament of both native Irish chieftains and Anglo-Norman settlers, so that during his long term of office there was but little disturbance on the Irish marches and no conflict between the Irish magnates and the Government, or between the Irish magnates themselves. In his time, too, the king's influence in Ireland was perhaps greater than at any other period prior to the reign of Henry VIII.

¹ See *ante*, vol. iii, p. 145.

² Cal. Docs. Ireland, vol. iv, nos. 267-8.

³ In 1302 he founded the Wogan chantry in the chapel of St. Nicholas in St. David's Cathedral, then describing himself as 'dominus de Pykton et capitalis iusticiarius de Hibernia'. See Arch. Cambrensis, Fifth Series, vol. xv, p. 228, and Owen's Old Pembroke Families, pp. 40-1. His precise position in the Wogan family is obscure.

Immediately on his arrival he tactfully effected a truce between the Earl of Ulster and John Fitz Thomas and enlisted the services of both, along with those of other Irish lords, in the campaign of 1296 against Balliol, King of Scots.¹ Indeed the frequency with which in the next few years forces and provisions in considerable quantities were dispatched from Ireland to assist the king in his wars in Scotland, Flanders, and France, is strong testimony to Wogan's success in preserving the peace of Ireland and in maintaining the loyalty and goodwill both of the magnates and of the Irish population in general towards the Crown.

Wogan's
Parlia-
ment,
1297.

Sir John Wogan is best remembered as the justiciar who in 1297² summoned the first assembly in Ireland that really deserved the name of a parliament, though of course the credit of the constitutional advance which marked this parliament should be attributed to his lord and master, King Edward, who had himself learned the great principle of government by elected representatives in the school of Simon de Montfort. To this council of Ireland not only were summoned the archbishops, bishops, abbots, and priors, whose presence seemed to be thereunto necessary, as

¹ Laud MS. Annals (Chart. St. Mary's Abbey, Dublin, p. 325). For those summoned see Cal. Docs. Ireland, vol. iv, no. 276. On May 13, the king entertained the Irish leaders at a great feast in the castle of Roxburgh: Laud MS. Annals (as above), p. 326.

² There should be no doubt about the year. The act provided that 'the county of Kildare, formerly a liberty intitive to the county of Dublin, be henceforth a county by itself'. This must have been done between February 1297, when William de Vescei surrendered the liberty of Kildare to the king (C. D. I., iv, nos. 365, 373), and the following July when Kildare had 'newly been made a county by itself': Just. Roll, vol. i, p. 145.

well as the earls, barons, and other chief persons (*optimates*) of the land, but it was ordered that the sheriffs of Dublin, Louth, Kildare, Waterford, Tipperary, Cork, Limerick, Kerry, Connaught, and Roscommon, each in his full county court, and the seneschals of the liberties of Meath, Wexford, Carlow, Kilkenny, and Ulster, each in his full court of the liberty, by the assent of his county or liberty, should cause to be elected two of the most honest and discreet knights of the several counties and liberties, that they might be present with full powers.¹ Here then we have an assembly which exercised legislative functions and consisted virtually of lords spiritual, lords temporal, and knights of the shires, this last element involving the representative principle which in its development has rendered possible the establishment of orderly democracies. The cities and boroughs were indeed unrepresented in 1297, but this defect was remedied in the parliaments of 1300 and 1310.

As has already been noticed,² legislation for Ireland in previous reigns consisted mainly of royal ordinances issued by virtue of the king's prerogative. The laws of England were in general terms ordered to be observed in Ireland, and in a few cases particular statutes passed in England were, by the king's authority, transmitted to Ireland for observance there. Similarly in 1279 the Statute of Mortmain of that year was ordained to be observed in Ireland,³ and in 1285 all the great

Edward's
legisla-
tion
applied
to Ire-
land.

¹ Particulars concerning this parliament and its enactments are known only from an entry in the Black Book of Christ Church, Dublin. See Irish Archaeological Society's Miscellany, pp. 15-33 ; also Early Statutes (Berry), p. 195.

² *Ante*, vol. iii, pp. 298-301.

³ Early Statutes, p. 37.

legislation of Edward I directed to restrain the corruption, extortion, and oppression of sheriffs, king's officers, and others in authority; or designed for the improvement of legal procedure, for the protection of widows and wards, and for the better recovery of debts and the redress of other grievances, was extended to Ireland.¹ The statute of 'Quia Emptores', which was professedly intended to secure the feudal rights of the Crown and baronage by stopping the sub-infeudation of lands held in fee simple, but which has had far-reaching effects in facilitating the division of estates and in multiplying tenures in chief of the Crown, does not seem to have been transmitted to Ireland in its entirety. In 1293, however, the king sent among other ordinances one forbidding tenants in chief from making feoffments, save to be held of the king in chief and by leave of the king or of his justiciar. Nothing is said about the feoffments of mesne tenants, and even as regards tenants in chief an exception was made of those whose lands 'lay in the land of war or in the marches'. They were to have power to enfeoff others to hold of the feoffors for the defence of the land until the king advised otherwise.² This then is an example of an English statute having been materially modified to suit the special requirements of Ireland.

First laws
made in
Ireland.

So far as appears then, the first legislation originating in Ireland was that enacted in Wogan's Parliament of 1297. By it Kildare (no longer a liberty since its surrender by William de Vesey

¹ Early Statutes, pp. 47-177.

² Ibid., p. 192. We have mentioned (*ante*, vol. ii, p. 48) that through neglect of this ordinance Maurice de Carew in 1302 was held to have forfeited the seignory of Fermoy.

to the king) was made a county by itself under a sheriff; but the most characteristic clauses were those directed towards inducing the English (under penalties for default) to guard the Marches and act together in defending themselves and their neighbours against risings and plundering raids of the Irish. Other clauses forbade any one from leading out an army through the land of peace without licence from the justiciar, from keeping more kerns and idle men than he could support out of his own resources, and from attacking any Irishman who was at peace. There was also an order for the clearing of ancient highways which passed through woods, and for the repair of bridges and causeways. Finally, it was already deemed necessary to forbid Englishmen from attiring themselves in Irish garments, and particularly from wearing their hair after the manner of the Irish *culan*.¹ In subsequent reigns there was to be much further legislation with the same double object of resisting Irish outbreaks and restraining men of English descent from falling into the turbulent ways of the Irish. Two centuries later indeed we find Edmund Spenser inveighing against the Scythian (i.e. Gaelic) custom 'of the wearing of mantles and long glibbes, which is a thicke curled bush of haire, hanging downe over their eyes, and monstously disguising them', both of which he describes as 'fit masks for a thief'.

But though this parliament of 1297 was the first in Ireland that deserves the name, it is clear, in spite of much that has been written to the contrary, that much of the legislation for Ireland,

¹ The *culan* seems to have been a wisp of hair allowed to grow long, and brought from the back forwards over the forehead and down to the eyes.

both before and for many years after this date, consisted of ordinances issued by the king in virtue of his prerogative, or by the king and council in England, or of acts of the English parliament transmitted to Ireland and ordered by the king to be proclaimed and observed there. As Dr. Berry says in the Preface to his edition of *Early Statutes*, 'at what period or in what reign the king's ordinances completely yielded to the more constitutional authority of parliamentary enactments has never yet been precisely ascertained'. So far indeed as appears, it was not until 1460 that an Irish parliament claimed that Ireland was not bound by acts of the parliament of England, saving only such as were accepted by the great council or the parliament of Ireland. But this declaration, though no doubt popular at the time in Ireland, was made when Richard, Duke of York, had assumed the governorship, and should be regarded as part of the parliamentary armour put on by the duke for his protection against the Lancastrian parliament, by which he had been attainted.

Bad
money.

In June 1299, Edward sent a writ patent to the justiciar forbidding the introduction into Ireland of divers bad moneys known as pollards or crokards, and by other names, and ordering that wardens be appointed to carry out the ordinance.¹ The sheriff of Cork returned a list of thirty-eight market-towns and ports in his bailiwick in which wardens were appointed.² These must all have

¹ *Early Statutes*, 27 Ed. I, p. 221. In the previous Easter term the justiciar in council had made some provisions for the seizure of such foreign moneys if not up to a certain standard (*ibid.*, p. 213), but these provisions were superseded by the king's ordinance.

² *Justiciary Rolls*, vol. i, p. 265.

been centres of trade, and the list indicates the highly developed state of County Cork at that time. Unfortunately we have no similar lists from other parts. By the same writ the export of good silver coin and of silver in plates, without special licence, was forbidden, and in 1300 this ordinance was made more absolute, and no money other than sterlings of the king's coinage was to be henceforth current in the kingdom.¹ The operation of the economical law that bad money has a tendency to drive out good was already perceived.

In 1299, too, there was an anticipation, in a less drastic form, it is true, of the famous Statute of Labourers which was passed after the Black Death in 1349. Complaints having been made that servants, ploughmen, carters, threshers and others, 'on account of the fertility of the year',² refused to serve as accustomed, it was provided by the justiciar and council in Dublin that such servants should serve as they were accustomed to do, and stay with their lords and receive the same liveries and wages as in other years, and that no lord should give greater liveries or larger wages than heretofore, or draw away the servants of another without his will.³ The Statute of Labourers was occasioned by the scarcity of labour owing to the Black Death; while the great fertility of 1299

Ordi-
nance
concern-
ing
wages.

¹ Early Statutes, p. 239. In February 1301, the king having learnt that money and silver were clandestinely exported in sacks of wool, &c., sent letters to John Wogan again forbidding the export: Cal. Docs. Ireland, vol. iv, no. 776.

² In a memorandum of this ordinance preserved at Cambridge, its occasion is said to be 'quod famuli . . . non curaverunt servire propter vile forum bladi': see Eng. Hist. Rev., vol. xviii (1905), p. 508.

³ Early Statutes (Berry), p. 215.

induced a demand for extra labour to secure the increased harvest, at a time when the cheapness of food enabled many labourers to avoid work. But though the conditions were different, the actual result (for the moment) was the same. The supply of labour did not meet the demand, and the competition of employers tended to raise wages abnormally. But there was this difference: the result of the Black Death was felt for many years, while the fertility of 1299 was no doubt exceptional, and was certainly more than counter-balanced by the famine of 1315-17. Hence in spite of the Statute of Labourers wages increased in the years following 1350, but there is no sign of any general increase of wages, in Ireland at any rate, for many years after 1299.¹

'The Fifteenth.'

By exercising a greater control over officials and a more strict audit of their accounts, by the imposition of the fixed custom on the export of wool, and by his encouragement of trade and commerce, Edward greatly increased the revenue of Ireland; and notwithstanding a liberal expenditure on defensive works there and on salaries, he succeeded in obtaining large sums for building and provisioning castles in Wales and supplying his armies there and in Scotland. This was effected, in Ireland at least, without having recourse so frequently as his father had done to irritating subsidies. In 1292, however, the Irish magnates granted to the king a fifteenth out of their goods and chattels,² and in the course of the next seven

¹ The wages paid on the Earl of Norfolk's Irish manors, c. 1279-86, were very similar to those paid on the farms of the Priory of the Holy Trinity, c. 1344. See *Journal R. S. A. I.*, vol. xxii (1892), p. 57, and *Account Roll of the Priory, 1337-1346*, ed. James Mills.

² *Cal. Docs. Ireland*, vol. iii, no. 1090.

years the sum of £11,369 14s. 8½*d.* was collected in respect of this assessment.¹

On January 18, 1300, the king asked for a subsidy from his faithful people of Ireland to aid him in 'repressing the rebellion of the Scottish enemies and rebels'. Scotland in fact was not subdued by the defeat of Wallace at Falkirk, and a new expedition was necessary to carry out the king's designs. A parliament was summoned at Dublin, consisting not only of the prelates and magnates, but also of the elected representatives of the communities of the counties, and likewise of the communities of the cities and boroughs. But the power of representatives to bind their constituents was not yet established, and even prior to the assembling of the parliament, the justiciar, Sir John Wogan, went to a number of the principal cities and boroughs and obtained directly from each community sums varying presumably according to their wealth. When the parliament assembled, divers of the magnates and representatives, excusing themselves (for the moment) from giving a subsidy, prayed the justiciar to go with them through the various communities, and promised that they would assist in inducing the communities to contribute, and that they (except the prelates) would then contribute. This was done, and a long and interesting list of counties, liberties, tenants on ecclesiastical or abbatial lands, and boroughs contributed a total of £2,361 6s. 8*d.*²

Subsidy
for Scot-
tish war.

¹ An examination of the rolls of receipt published in the Calendar, vol. iv, shows that £3,278 16s. 8*d.* was collected in Trinity term 1293 (no. 48), £3,294 7s. 9¼*d.* in the three terms ending Easter 1294 (no. 130), and £4,796 10s. 3¼*d.* between that date and Easter 1299 (no. 612).

² Early Statutes, pp. 229-37; Justiciary Rolls, vol. i, p. 303, and cf. Irish Pipe Roll, 32 Ed. I. An analysis of

John Wogan, John Fitz Thomas, Peter de Bermingham and many others headed contingents on the expedition to Scotland of 1301, but as an Irish annalist cautiously observes, 'they obtained not complete sway in it'.¹

The
Papal
tenths.

The ecclesiastical taxation of Ireland, c. 1302, made with a view to the levy of the 'Papal tenths', affords some index of the relative prosperity of the districts under Anglo-Norman and Irish rule respectively. For instance the dioceses of Down and Connor, covering only the county of Antrim and the eastern half of the county of Down, but comprising nearly all the feudalized parts of the lordship of Ulster, were taxed at £1,051 14s. 7½*d.*, while the rest of the whole province of Ulster, though covering an area at least six times greater, was taxed at about £300. Similarly in Connaught the diocese of Elphin, including rather more than the district in which the O'Conors held sway, was taxed at £69 7s. 10*d.*, while the adjoining dioceses of Clonfert and Kilmacduagh, comprising approximately the district afterwards known as Clanrickard, though of smaller area, were valued at £268 5s. 11*d.* A comparison of the valuation of the Irish districts in Wicklow, Offaly, and Desmond, with that of neighbouring districts under Anglo-Norman rule, gives similar results. Everywhere the valuation of the benefices in the Irish districts was relatively much lower; and this result cannot be attributed solely to inferiority in the quality of

the above total shows that the counties and liberties contributed £1,361 6s. 8*d.*; the tenants on ecclesiastical and abbatial lands £197 13s. 4*d.*; and boroughs £817 13s. 4*d.* Ulster and Connaught were not represented.

¹ Ann. Loch Cé and Laud MS. Annals, 1301, cf. Cal. Docs. Ireland, vol. iv, 785. The Earl of Ulster did not go: Ann. Ulst. 1301.

the land, but was primarily due to the disturbed state of the districts under Irish rule. In some cases the churches are described as waste owing to war, and of no value.

In all the feudalized districts the common law of England, as modified or supplemented by statutory enactments and royal ordinances, was administered throughout the great liberties in the courts of the lords of the liberties, and elsewhere in the courts held by the chief justiciar or by itinerant justices. Only a few of the plea rolls of Edward's reign have survived, and of these only those pleas held by the chief justiciar in the period from 1295 to 1307 have been published. During this period the justiciar held courts not only in Dublin and at several places in the adjoining counties of Louth, East Meath, Kildare, and Wicklow, and at the cities of Waterford, Cork, Limerick, Cashel, and Kilkenny, but also at the following smaller and more remote towns, viz. Tralee, Ardfert, and Duagh, in County Kerry; Mallow, Buttevant, Ballyhay, and Ardskeagh, in County Cork; Kilmallock, Rathkeale, and Ardagh, in County Limerick; Clonmel, Carrick, Nenagh, and Aherlow, in County Tipperary; Dungarvan, Tallow, and Stradbally, in County Waterford; Castlecomer, Callan, Thomastown, Gowran, Graigna-managh, and Rosbercon, in County Kilkenny; Carlow, Tullow, Wells, and New Ross, in the former liberty of Carlow;¹ Mullingar, Loughseudy, and Rathwire, in Westmeath; the New Town of Leix, and Roscommon. The pleas heard before the justiciar ranged over all kinds of offences, civil and criminal, from cases of homicide to

The
justiciar's
courts.

¹ The only liberties recognized in Leinster and Meath at this time were Wexford and East Meath.

disputes about rights of way, and a case where a man was found to have stolen two goats, value 11*l.*, but was acquitted 'for the soul of the king', as he was not accustomed to do evil, but was impelled solely by hunger. The court reviewed proceedings of all inferior courts, while its proceedings were in turn liable to review in the king's court in England. Sometimes what was called a 'parliament' was held before the justiciar and council. Its proceedings included the making of enactments and the hearing of petitions.

Escheats
and ward-
ships.

Edward generally kept escheats and wardships in his own hands, instead of selling them to the highest bidder or giving them to favourites. When, as in the case of Ulster, Thomond, and Desmond, he did make large grants to individuals, it was with the political object of securing more effective control and better order in Gaelic districts, and not from the mere personal motive of rewarding his followers. He also obtained possession of several manors by surrender from the owners. Sometimes this was effected by giving the owner an equivalent in English lands, as in the case of Christiana de Mariscis, one of the coheirs of the Riddelisford lands, who surrendered manors in Connaught, about Bray, and at Castledermot and Kilkea,¹ and of Ralph Pippard, who surrendered the manors of Donaghmoyne and Ardee in Uriel, Leixlip in Co. Kildare, and Dysart in Westmeath.² In other cases the surrender was obtained in other ways. Thus in 1290 Edward gave his daughter, 'Joan of Acre,' in marriage to Gilbert, Earl of Gloucester, on condition that the earl should surrender his lands both in England and Ireland

¹ Cal. Docs. Ireland, vol. iii, nos. 1798-1801.

² Ibid., vol. v, 149, 167.

and receive them back entailed on the issue of the marriage, or in default on the heirs of Joan.¹ In 1297 William de Vescy surrendered the castle, manor, and county of Kildare to the king in consideration of a pardon for his Crown debts. A few months later the lands were given back to him for his life, and on his death very shortly afterwards the whole inheritance vested in the Crown.² In 1202 the king induced Roger Bigod, Earl of Norfolk, who though twice married was childless, to surrender all his castles and lands in Ireland (as in England) and receive them back with reversion to the king in the event of the earl's death without heirs of his body.³ The result was that on the earl's death in 1306 his vast estates, to the disherison of his brother, reverted to the Crown. Thus did the king gain control over three of the great Leinster liberties. This policy may have enabled the king to counteract the baronial opposition in England, but in Ireland, where there was no marked conflict between the barons and the Crown, the ultimate consequence of weakening the baronial power was to encourage the border Irish clans to make raids into Leinster and Meath.

Whatever may have been Edward's shortcomings from the modern ideal of a ruler governing in the interests of the governed, Ireland under his rule reached a degree of order, wealth, and prosperity never attained before, and never even distantly approached in pre-Norman times. His reign in Ireland was in fact the culminating period of the whole Anglo-Norman epoch, when the wave of mediaeval progress which followed the

Ireland
under
Edward I.

¹ Ibid., vol. iii, nos. 620, 659.

² Ibid., vol. iv, nos. 374, 414, 426.

³ Ibid., vol. v, nos. 54, 87.

partial organization and comparative order introduced by his great-grandfather reached its high-water mark. Guided by England, Ireland was taking her place, a subordinate but no mean one, among the progressive countries of Western Europe, and with England was participating in the new ideas of state-government and social organization, the new activities in agriculture, industry, trade, and commerce, the new developments in art and architecture and the amenities of life generally, which marked the thirteenth century as a period of great achievement and still greater promise.

CHAPTER XXXIV

THE NORMANS IN THOMOND

FROM the close of the twelfth century, when the Normans first permanently occupied the city of Limerick and began to settle extensively in the present county to the south of the Shannon, grants were also made by the Crown of some lands to the north of the estuary, in the present county of Clare—the district to which the name of Thomond came henceforth to be more specifically confined. Thus, seemingly before the accession of King John, Arnold Keting had received a grant of the cantred of Tradry (Bunratty Lower), while the king retained for his own use the three cantreds of Corcovaskin (Moyarta, Clonderalaw, and part of Ibrickan). In 1199 Arnold Keting exchanged Tradry for the middle cantred of Corcovaskin,¹ and about the same time Thomas Fitz Maurice, ancestor of the Desmond Fitz Gerald, was granted five knights' fees on the northern bank of the Shannon near Limerick.²

Ineffective grants.

It would seem that, as in the case of the lands in County Limerick, these cantreds along the northern shores of the estuary of the Shannon were left at the disposal of the English Crown by agreement with the sons of Donnell O'Brien.

¹ Cal. Docs. Irel., vol. i, no. 106.

² Rot. Chart., 1 John, p. 19 b: in *thwedo de Huamerith quod est in Thomunt super aquam de Sinan*; the *vi Aimrit* of Topogr. Poems, p. 128; seemingly north of Cratloe on the way to Ballymulcashed; *Caitheirim* p. 122.

As we have seen, Donough Cairbrech O'Brien in 1197 brought the English into Thomond, where they slew Covey Macnamara, Conor O'Quin, and many others.¹ It was probably in return for Norman assistance in quelling the opposition of these powerful chieftains² that Donough relinquished his overlordship of Tradry, the richest land in Thomond, to his allies. The principle adopted by the Government, here and elsewhere, was to confirm the Irish chieftain in part of his former territory as a quasi-tenant in chief, while reserving another part for the disposal of the Crown as immediate overlord.

Arrange-
ment
with
Donough
O'Brien.

About the time of King John's expedition to Ireland (1210), or soon afterwards, a further arrangement seems to have been made. After a dispute with his brother Murtough, Donough O'Brien seems to have been finally recognized as king of about a moiety of Thomond subject to a rent, and to have obtained a lease of Carri-gunnel or Esclon then in the king's hand,³ while four cantreds in Thomond, viz. Ogashin (Bunratty Upper) and the three cantreds of Corcovaskin, were placed at the disposal of the justiciar, John de Gray, Bishop of Norwich. The bishop made grants of some of these lands,⁴ but

¹ *Ante*, vol. ii, p. 159.

² The Mac Namaras, whose hereditary privilege it was 'to name O'Brien' at Magh Adhair, were chiefs of Ui g Caisin or Ogashin (approximately Bunratty Upper), and the O'Quins were chiefs of Muintir h Ifernain, about Corrofin.

³ *Ante*, vol. ii, p. 150, and p. 168 note.

⁴ The bishop granted the moiety of Ogashin, 'which O'Grady had formerly held', to Reginald Finegal (who also held lands of the Talbots of Malahide), and among the bishop's feoffees in Corcovaskin were Thomas Fitz Adam (an official of the Crown) and Robert Petit, brother of Nicholas Petit of Meath: *Cal. Docs. Irel.*, vol. i, nos. 607, 629.

it is improbable that any effective colonization was made at the time. The grantees, no doubt, met with opposition from the local chieftains, for in 1215, by the advice of some of the grantees, a proposal was made to give the four cantreds to Murtough O'Brien, saving the interest of the feoffees in two of them.¹ This particular arrangement fell through, but seemingly an alternative offer from Donough was accepted.²

The death in 1216 of Conor O'Heney, Bishop of Killaloe, seemed to give an opportunity for appointing an Englishman to the vacant see, and accordingly, on January 14, 1217, the king's approval was given (by the regency) to the 'canonical election' of Robert Travers, nephew of Geoffrey de Marisco, and he was consecrated by the bishops of Waterford, Emly, and Limerick.³ About the same time Geoffrey de Marisco erected a castle at Killaloe for the bishop.⁴ The election of an English bishop, though sanctioned by King Donough, was, however, disputed,⁵ and in 1221 the pope's legate deposed the bishop and sent him to Rome.⁶ 'Perpetual silence' was imposed upon him, and another consecrated in his place.⁷ At the time of the election of Robert Travers an endeavour was made to establish the rule that

An English
bishop of
Killaloe.

¹ Ibid., nos. 629, 669, and cf. no. 2191.

² Ibid., no. 673. About the same time King John, as overlord, confirmed to the Archbishop of Cashel a grant which Donough had made to him of five villis in Thomond: *ibid.*, no. 649.

³ Ibid., no. 738. Papal Letters, vol. i, p. 50.

⁴ Ann. Clonmacnois.

⁵ Theiner, *Vetera Monumenta* (1864), pp. 5, 11, 25.

⁶ Cal. Docs. Ireland, vol. i, nos. 1026, 1037. The Bishop of Ardferd, an English Benedictine, was at the same time similarly deposed.

⁷ Theiner, *Vet. Mon.*, p. 26.

no Irishman should be promoted to a cathedral church, on the ground that disturbances were likely to ensue from such appointments,¹ but this exclusive principle was, as a matter of fact, never strictly carried out. On the other hand, when Henry III in 1250 complained to Pope Innocent IV that archbishops and bishops in Ireland and their chapters had ordained that no Englishman should be received as a canon in their churches, the pope issued a bull commanding the ordinance to be revoked.²

In 1217 Geoffrey de Marisco, the justiciar, was ordered to assist Thomas Fitz Adam to build a castle in his land of Corcovaskin.³ At Kilkee there is an earthwork of the mote type⁴—a very unusual thing in County Clare—and it is possible that it represents this castle. Tradry was retained for the king's use, and lands there were to be assigned to Miles de Cogan and Walter Bluet, knights,⁵ while Cratloe was sold to Geoffrey Lutterel, from whom it passed to his son-in-law, Philip Marc.⁶

We have no further information as to these early attempts to enfeoff parts of Thomond, and

¹ Cal. Docs. Ireland, vol. i, nos. 736, 739.

² Ibid., no. 3084.

³ Rot. Claus., 1 Hen. III, p. 310. The mandate was repeated in 1220; *ibid.*, p. 427 b.

⁴ See Journal R. S. A. I., vol. xxxix, p. 116. It has a souterrain, however, a feature unusual in Norman motes.

⁵ Cal. Docs. Irel., vol. i, no. 690. The Cogans and Bluets were landowners in Co. Cork.

⁶ Ibid., nos. 560, 633, 821, 881. Geoffrey Lutterel was sheriff of Dublin in 1213: *Hist. et Mun. Docs. Irel.* (Gilbert), p. 473. Both he and Philip Marc were faithful servants of King John. For the latter see 'Minority of Henry III' (Norgate), p. 75.

it is probable that, outside of Tradry at any rate, they did not meet with any success. In 1222, however, a clearer light is thrown on the subordinate position of the Irish king. In that year Donough, king of Thomond, received a new grant of the land which he had previously held (called afterwards a moiety of Thomond) at an annual farm of 130 marks. He was now to hold it of the king during good service, until the king's full age, at the increased rent of £100 a year and a fine of 200 marks.¹ On the expiration of this lease in 1228 Murtough O'Brien offered 80 marks increased rent, and £1,000 to have the moiety of Thomond, hitherto leased to Donough at £100 a year, and he moreover offered to build a castle in the land for the king's use, and maintain at his own cost the force placed in it by the justiciar (Richard de Burgh).² Though the king accepted this offer, it does not appear to have been acted on. The brothers were ready to bid against each other to get a lease from the Crown, but as before Donough was successful. In 1225, and again in 1230, Donough assisted Richard de Burgh in his campaigns in Connaught; but in 1234-5, taking advantage of the cleavage among the barons caused by Earl Richard Marshal's revolt, Donough allied himself with Felim O'Connor against Richard de Burgh, and ravaged the Crown-lands of Thomond up to Limerick.³ Defeated by Richard de Burgh, he made a timely peace, and for a fine of 400 marks recovered his position.⁴ At this time, in addition to his moiety of Thomond, he

New
grant to
King
Donough.

¹ Rot. Claus., 6 Hen. III, p. 505 b; Rot. Pat., 6 Hen. III, p. 336.

² Rot. Claus., 13 Hen. III, p. 126.

³ See *ante*, vol. iii, pp. 181-2.

⁴ Cal. Patent Rolls, 18 Hen. III, p. 71.

held Corcovaskin, and probably Ogashin, on lease from the king, and the feoffees of the Bishop of Norwich or their representatives were compensated.¹

Death of
King
Donough,
1242.

Donough O'Brien died in 1242, when he is called by an Irish annalist 'the maintainer of the faith and renown of Leth Modha, and the pillar of the dignity and nobility of the South of Erin'.² The foundation of the Cistercian house of Sancta Maria de Petra Fertili, or Corcumroe, the remains of which stand on a green spot in the desolate Burren of Clare, has been variously attributed to Donough and to his father, Donnell Mor.³ Perhaps each had a hand in the buildings, as the architecture of the abbey-church, which has been well preserved, points to slightly different periods.⁴ Donough was at any rate a benefactor of the Cistercians. A grant from him of two marks yearly to the mother-church at Cîteaux, in aid of procuration for the Irish abbots attending the general chapter there, is still extant at Dijon.⁵ To Donough has also been attributed the foundation in 1227 of the Dominican Convent at Limerick, but this again is doubtful, as not only had Donough no jurisdiction in Limerick at this date, but Edward I in 1285 made a special grant of ten marks a year to the Domi-

¹ Cal. Docs. Irel., vol. i, nos. 2191, 2193.

² Ann. Loch Cé.

³ Ware, Chart. St. Mary's Abbey, Dublin, vol. ii, p. 237.

⁴ For descriptions and illustrations see Journ. R. S. A. I. (1895), p. 280, and (1900), p. 299.

⁵ See my note on 'Some Irish Cistercian Documents', Eng. Hist. Rev. (1913), p. 307. The deed must be dated 1223-4. It is witnessed by the bishops of Limerick, Emly, Kilfenora, and Ross, by the heads of the Cistercian houses at Monasteranenagh, Holycross, Inishlounaught, and Corcumroe, and by several chieftains in Thomond.

nican friars of Limerick, 'whose house', he says, 'was founded by the king's ancestors and the king himself'.¹

Whatever may be thought of Donough's conduct towards his hereditary foes of the seed of Eoghan, towards his neighbours the kings of Connaught, and above all with regard to the preservation of his patrimony (which is said to have formerly extended from Cuchullin's Leap (Loop Head) to the ford of Boruma (near Killaloe), from Birr to Knockainy, and from Cashel to Burren), it must be admitted that in difficult circumstances he was on the whole a faithful vassal of the English Crown, and that in his time there was comparative peace in Thomond.

The peace continued for several years under Donough's son, Conor
O'Brien. Conor. He was one of those summoned by the king in 1244 to a projected expedition against the Scots which, however, did not take place.² In 1250 the king directed that for a fine of 2,200 marks Conor was 'to hold during good service the land which his father held by charter from King John', i. e. a moiety of Thomond. The justiciar, John Fitz Geoffrey, was also authorized to commit to Conor the land which he held to farm.³ For this last-mentioned land, presumably Corcovaskin and Ogashin, Conor afterwards offered a fine of £500 to get the fee.⁴ The precise terms were not settled when, in July 1253, Conor complained that he was much troubled by the king's bailiffs in Thomond and harassed by his suit at the court of Limerick.

¹ Cal. Docs. Irel., vol. iii, no. 97; and cf. *Ancient Dominican Foundations in Ireland* (Coleman, 1902), p. 52.

² Cal. Docs. Irel., vol. i, no. 2716.

³ *Ibid.*, no. 3054.

⁴ *Ibid.*, no. 3114.

He made at the same time a threefold offer for the land which he held on lease in Thomond, and the king, while ordering the bailiffs to desist from troubling Conor, sought the advice of the justiciar as to Conor's proposals.¹ One marvels at the ineptitude of this haggling over monetary terms when the vital point was to secure a ruler who would be a faithful vassal of the king and at the same time be accepted by the clansmen as their chieftain. Some terms were eventually settled, as there is an entry in the Pipe Rolls for the year 1260-1 that Conor owed £514 17s. 5d. 'for having a moiety of Thomond',² and from the Exchequer memoranda of the time of Edward I it appears that Conor O'Brien was wont to render 140 marks a year for the same.³

Grant of
Tradry,
1248.

While these negotiations with Conor O'Brien were proceeding, some grants leading to permanent settlements in the cantreds reserved to the Crown were made. In 1248 Tradry was granted in fee farm to Robert de Muscegros at a yearly rent of £30, which was remitted for two years to enable Robert to build castles—presumably the first castles at Bunratty and Clare.⁴ In 1252 an extended grant was entered on the charter-roll. It conferred unusual immunities on the grantee. The cantred was to be quit of all pleas and complaints of sheriffs, bailiffs, and other ministers of the king, who were not to enter except for the four pleas of the Crown.⁵ Robert was afterwards granted a fair and market at his vill of Bunratty and Clare and free warren in his

¹ Cal. Docs. Irel., vol. ii, nos. 272-3.

² Pipe Roll (Ireland), 45 Hen. III, 35th Rep. D. K., p. 40.

³ Cal. Docs. Irel., vol. iii, p. 550.

⁴ Ibid., vol. i, no. 3126.

⁵ Ibid., vol. ii, no. 4.

demesne-lands of Tradry and 'Ocormok' (the district about Clare, which went with Bunratty), and 260 oaks from the king's forests for building.¹ He died before February 1254, when he was succeeded by his son, John de Muscegros, who was sheriff of Limerick, perhaps continuously, from 1261 to his death in 1275.² The castle and manor of Bunratty were then in the king's hand up to April 26, 1276, when, by arrangement with another Robert de Muscegros, they were delivered to Thomas de Clare.³

In 1253 the cantred of the Isles in Thomond, now included in the barony of Islands, was granted to the justiciar, John Fitz Geoffrey, at a rent of 43 marks, with immunities similar to those contained in the grant of Tradry, and John and his heirs were to have power to build castles and create markets, fairs, and warrens.⁴ John Fitz Geoffrey died in 1258, and the cantred passed in 1260 to his son John, and then in 1276 to another son, Richard Fitz John, on whose death, c. 1297, it became divisible among female heirs.⁵ Probably the cantred was never actually colonized, but in time of peace a rent of two marks from each of forty villatas was received from the Irish tenants.

In the year 1257 we hear for the first time in this century of fighting between the Irish of Thomond and the English, and then it seems to

And of
the cantred of
the Isles.

Teig
O'Brien
revolts,
1257.

¹ Ibid., no. 51, 155-6.

² Ibid., vol. ii, no. 325, and Pipe Rolls (Ireland) for 45, 46, and 51 Hen. III and 1 Ed. I, 'accounts for Limerick County'. His rent seems to have been reduced to half a mark a year: *ibid.*, p. 549.

³ Ibid., nos. 1202-4, and Pipe Roll (Ireland), 4 Ed. I, 36th Rep. D. K., pp. 32, 33.

⁴ Cal. Docs. Irel., vol. ii, no. 289, and cf. nos. 392-3, 410.

⁵ Ibid., vol. iv, nos. 638, 673-4.

have been Teig, the warlike son of King Conor, that instigated his father to revolt. It is noteworthy that from about this period relations between English and Irish were embittered in Connaught and in Desmond as well as in Thomond, and in every case it was the next claimant to the throne that was dissatisfied with the 'peaceful penetration' of the foreign settlers. In Connaught it was Aedh, son of King Felim, that rebelled, and in Desmond it was Fineen, son of Donnell Got Mac Carthy. There were rival claimants in each case, and the 'heir presumptive' presumably thought that the best way to secure popularity and the succession was to lead the clansmen on a successful plundering expedition against the foreigners. But the root of the irritation was the attempt to treat the remaining semi-independent kings of Ireland as if they were ordinary feudal tenants in chief. They were subjected to substantial rents and heavy fines (not always paid, however) for the portions of their former territories left during good behaviour under their control, and then every outbreak of the restless tribes, impatient of any control, was made the occasion of fresh fines and further deprivation of territory.

Teig at
Caoluisce,
1258.

In the year 1257, we are told, a great slaughter was inflicted by Conor O'Brien on the foreigners of Munster and a great depredation was committed on them by his son Teig.¹ Next year Teig attended the meeting at Caoluisce on the Erne, where Brian O'Neill attempted to form a confederation of the Gael under himself as *ard-rí*. Aedh O'Conor gave hostages to O'Neill and a partial confederacy was formed, but though we might expect that Teig would be ready to fall in

¹ Ann. Loch Cé, 1257.

with the project, a local writer, seeking to glorify Teig, tells how he disdained to accept a gift of two hundred caparisoned steeds from O'Neill, the usual symbol of submission, thus breaking up the meeting.¹ In the same year Conor O'Brien attacked the English in the south of County Galway and burned the towns of Ardahan and Kilcolgan, then belonging to Maurice Fitz Maurice.

The reply to Conor's revolt was a further diminution of his territory. It seems to have been in this year (1258) that John Fitz Thomas of Shanid entered Thomond, no doubt to punish Conor, and was granted the cantred of Ogashin, half the cantred of Omulloid near Killaloe, and thirteen vills in Corcumroe. John Fitz Thomas nominally held these lands at his death in 1261, but they were then waste² (i. e. no profit was obtainable from them), and his grandson surrendered them to the king.³ The date of acquisition seems to be given by an inquisition taken at Limerick in 1275, where the jurors state that 'from the time when Sir John Fitz Thomas first entered Thomond, to wit seventeen years ago', the citizens had received no profit from certain of their lands on the Thomond side of the

John Fitz
Thomas
in Tho-
mond,
1258.

¹ Ann. Loch Cé, Ann. Clonmacnois (where for 'O'Bryans' read *Ui Briúin*), 1258, and see the passage from the *Caitheáim Thoirdhealbhaigh* in *Miscellany Celtic Soc.*, pp. 177-9. This account has been doubted (*Four Masters*, vol. iii, p. 368 n.), and the authority is certainly not a good one; but it is to be noted (1) that the Irish annals do not mention Teig as one of those giving hostages, (2) that a subsequent meeting took place next year between O'Conor and O'Neill, and (3) that (though Teig himself was dead) the O'Briens did not join in the battle of Down (1260), the outcome of the confederacy.

² Cal. Docs. Irel., vol. ii, p. 429. Inq. P. M., 10 Ed. I, no. 437.

³ Cal. Docs. Ireland, vol. ii, no. 1622.

bridge.¹ Evidently this was a disturbed period in Thomond.

Teig died in 1259. His father Coñor lived for another nine years, but 'he was filled', we are told, 'with despondency and no longer cared to play the king'. The consequence was that some of the subject clans, 'puffed up with increase of gear and goods, consequent on their not having been harried or preyed for a long time, omitted to send him his royal rent and lawful dues' and broke out in rebellion against him.² While endeavouring to subdue O'Loughlin's country in the Burren of Clare, Conor was slain with several members of his family by his cousin Dermot, son of Murtough O'Brien.³ He was buried in the abbey-church of Corcumroe founded by his ancestors, and his sepulchral effigy is still pointed out in the beautiful transitional chancel there.⁴ He resided at Clonroad (near Ennis), where he had built 'a permanent stronghold with earthworks',⁵ and near by on the banks of the Fergus, where the town of Ennis now stands, he is said to have founded the Franciscan Friary.⁶

Conor
slain,
1268.

Brian
Roe,
king.

Conor's son, Brian Roe, succeeded. He was given two cantreds of Corcumroe for a fine duly entered on the Pipe Roll, but probably never

¹ Cal. Docs. Ireland, vol. ii, p. 214. These lands were part of the cantred of the Ostmen, which had been given by King John as burgage land to the citizens of Limerick.

² Caithréim, p. 5.

³ Ann. Loch Cé, 1268.

⁴ Journal R. S. A. I., vol. xxx (1900), p. 302.

⁵ *longport comnaide criad*: Caithréim (text), p. 4. Clonroad (*cluain ramfada*) is close to Ennis on the east, but no earthworks seem to have been noticed here.

⁶ Four Masters, 1247. The Caithréim (p. 32) in an extravagant passage ascribes its foundation to Turlough, son of Teig. For description see Journ. R. S. A. I., vol. xxv (1895), pp. 135-54.

paid. In 1270 he turned against the English and took the castle of Clare near Ennis,¹ which belonged to John de Muscegros. Hostages were exacted from him in 1272 by James d'Audley, the justiciar,² and again in 1273 by Maurice Fitz Maurice, his successor, who led an army into Thomond and 'obtained sway over O'Brien'.³

And now with the advent of Thomas de Clare begins a new chapter in the history of Thomond. Descended from the senior line of the great house of Clare, Thomas was brother of Gilbert, Earl of Gloucester and Hertford, and grandson of the Earl Gilbert who married Isabel Marshal. He was thus, through his grandmother, fourth in descent from Strongbow. With his brother, the earl, he had rallied to the royal cause before the victory at Evesham, which was won largely by their aid, and Prince Edward, as *dominus Hiberniae*, had rewarded Thomas with a grant of the custody of the lands of Maurice Fitz Gerald, third baron of Offaly, who was drowned in the Irish Channel in 1268.⁴ Thomas, being about to depart for the Holy Land with the prince, sold this custody for 3,500 marks to William de Valence, the king's half-brother.⁵ He came to Ireland near the close

Thomas
de Clare.

¹ Four Masters, 1270; *Clár átha dhá charadh*: 'the plank-bridge of the two weirs'. Hence the name of the County Clare.

² Cal. Docs. Irel., vol. ii, p. 148.

³ Ann. Loch Cé, 1273, and cf. Cal. Docs. Irel., vol. ii, p. 180 (payments to Maurice Fitz Maurice and John de Muscegros), and Pipe Roll, 1 Ed. I, 36th Rep. D. K., pp. 24, 25.

⁴ This Maurice Fitz Gerald was grandson, in the senior line, of Maurice Fitz Gerald, the justiciar, who died in 1257. His widow was Agnes de Valence, the king's cousin. See my paper on 'The Fitz Gerald, Barons of Offaly': Journal R. S. A. I., vol. xlv (1914), pp. 105-9.

⁵ Cal. Docs. Irel., vol. ii, nos. 867, 957, 970, 1039.

of 1274, and was employed by the new king in a judicial capacity and as a commissioner in important positions of trust.¹ About this time he married Juliana, daughter and prospective heiress of Maurice Fitz Maurice, and thus allied himself to the Geraldines.²

Grant of
Thomond.

On January 26, 1276, the king granted to Thomas de Clare the whole of the land of Thomond to hold in tail, with advowsons, wards, reliefs, and liberties, by the service of ten knights (reduced during Thomas's life to five), saving to the king his royalty and *crociae* (or episcopal and abbatial investitures), the four pleas of the Crown, and the fees of English knights.³ The justiciar, Geoffrey de Geynville, was ordered to give Thomas the hostages of Thomond,⁴ and as soon as the O'Tooles and O'Byrnes of Glenmalure were brought to the king's peace, Thomas was to have the general summons of the military services due to the king in Ireland, 'to pacify his land of Thomond'.⁵ As far as lay with the king, Thomond was to be the liberty of Thomas de Clare, to hold as fully as the Earls Marshal had held their liberties, and by an arrangement with Robert de Muscegros, who was given lands in England in exchange, the castle of Bunratty, with the cantred of Tradry, and the *tuath* of Ocormok (about Clare Castle) were

¹ Cal. Docs. Irel., nos. 1059, 1091, 1135, 1163.

² He was married before February 18, 1275, when he was given by his father-in-law the manor of Inchiquin and the vill of Youghal in special tail; *ibid.*, vol. iii, p. 498.

³ *Ibid.*, vol. ii, no. 1194. In the following July Thomas was given power to enfeoff knights and others in Thomond; *ibid.*, no. 1261.

⁴ *Ibid.*, vol. ii, no. 1197. Among the hostages was Donough, the king's son and future king: *ibid.*, p. 239.

⁵ *Ibid.*, nos. 1191, 1476. He does not seem to have got the service until 1281.

also granted to him, to hold of the king in chief.¹

To give a connected account of the fortunes of the de Clares in Thomond we must in part rely on a tract called *Caithréim Toirdelbaig* or 'The Triumph of Turlough'. The original composition of this piece must at any rate be placed after 1364, as it refers to the death of Dermot, king of Thomond, who died in that year, while the earliest existing manuscript—a fragment—is dated 1509.² It is professedly the work of John, son of Rory Magrath. The Magraths were hereditary poets or historians in Thomond, but this particular Magrath has not been identified with certainty.³ But

Caithréim
Toirdel-
baig.

¹ Cal. Docs. Irel., nos. 1167, 1202-4, 1223-4. Bunratty was delivered to Thomas de Clare on April 26, 1276; 36th Rep. D. K., p. 32. It was at the moment seemingly of small value. The receipts in the hands of the Escheator for the preceding nine months were only £7 3s. 4d.

² The earliest MS. is that in the Royal Irish Academy marked $\overline{23}$ $\overline{16}$. It was written in 1509, but is unfortunately very imperfect. It contains thirty-three leaves. The best late text (modernized) is by Andrew Mac Cruitin, made in 1721 for a descendant of the MacNamaras (H. 1, 18, T. C. D.). He supposed that the original was written in 1459, as appeared 'at the 19th folio of the same very old book' from which he worked, but it seems probable that he was misled by the exemplar before him, and that the original was composed nearly a century earlier. There are several other copies. Through the courtesy of Sir Norman Moore I have been enabled to use the text as edited and rendered by Standish Hayes O'Grady, which, it is hoped, will soon see the light.

³ A Rory Magrath, the poet (*in file*), is mentioned in the text (p. 120), as directing the burial of those who fell in the battle of Corcumroe in 1317. He was probably the Rory Mag Craith, *ollamh* of Leth Mogha, who died in 1343, and may have been the author's father (Four Masters). But as many members of this family are mentioned as poets or historians in Thomond, the inference is uncertain.

besides not being a strictly contemporary composition, the work is stamped throughout as a partizan eulogy of one of the O'Brien factions, and a 'hymn of hate' against the foreigners, and in particular against the de Clares, who were guilty of supporting the rival faction. The dates supplied in the existing manuscripts, generally by a later hand, are often quite wrong, and the distortion of some episodes and the omission of others can be proved. Nevertheless, the work is full of verifiable topographical details, showing the writer's intimate acquaintance with Thomond. He refers to the annals of Clan Cuilean's accomplished bard, and quotes poems of local shanachies contemporary with events from 1259 to as late as 1318. Moreover, the broad outline of the story as regards the de Clares can in general be corroborated from authentic sources, while there is no reason to doubt the turmoil it discloses among the Irish chieftains themselves. Occasional side-lights on the manners and sentiments and methods of warfare of the Irish are particularly valuable, as they, at any rate, were not set down in malice. Used with caution, the tract often throws light on what would otherwise be obscure or unknown. It is written in a turgid style overladen with numerous compound epithets. In Mr. O'Grady's spirited rendering this defect is to a large extent concealed—generally by the simple device of omission.

It appears from the *Caithréim* that about the time of the grant to Thomas de Clare Thomond was in a state of anarchy. After Brian Roe had reigned successfully for nine years, the Mac Namaras and O'Deas revolted against him, drove him into exile, and set up as king his nephew Turlough, son of Teig of Caoluisce. From this time for very many years the O'Briens were

Turlough,
son of
Teig, con-
tests the
throne.

divided into two factions, which came to be known as Clan Brian (Roe) and Clan Turlough (Mor) respectively. With the advice of those who remained faithful to him, Brian sought aid from Thomas de Clare, 'then residing in Cork and claiming authority over the English of Munster',¹ and promised him all the land between Athsollus² and Limerick (i.e. the present barony of Bunratty Lower) in consideration of his assistance. Thus was confirmed, in part at least, by the Irish chieftain the grant of the English king, but, as often happened elsewhere, though the legitimate Gaelic chieftain might be willing to make a peaceful accommodation with the Norman baron, some of the *urrighs* and subordinate clans would always be ready to support a rival to the chieftainship who showed fight.

Brian
seeks aid
from
Thomas
de Clare.

In pursuance of the agreement, Thomas de Clare aided Brian to recover Clonroad and Quin, while Turlough fled to Connaught for assistance. According to the *Caithréim*, Thomas then 'built at Bunratty a castle of dressed stone, girt with thick outer wall, containing a roofed impregnable donjon, and having capacious white-lined appurtenances'. Afterwards he strengthened the castle and precincts with a broad-based, high-crested rampart, with ditch running from the stream (the Raite river, now Owenogarney, near its mouth) to the sea (the Shannon estuary).

Bunratty
Castle.

Turlough soon obtained assistance from the O'Maddens and O'Kellys of Connaught, and from some of the de Burghs,³ who were jealous of the

Turlough
defeats
Brian.

¹ *Caithréim*, p. 6. Thomas de Clare was sheriff of Limerick, seemingly at this time; 36th Rep. D. K., p. 39.

² *Athsolais*, now Ardsollus, is on the extreme north of the barony of Bunratty Lower, about a mile S.W. of Quin.

³ Earl Walter and Maurice Fitz Maurice had a quarrel in

Fitz Gerald and their new powerful ally. He then, in 1277, re-entered Thomond, and joined by the Mac Namaras and O'Deas, defeated King Brian in a battle in which amongst others 'Patrick Mac Maurice', described as 'son and heir of Mac Maurice of Kerry and own brother of De Clare's wife', was slain.¹ Unfortunately the description is inconsistent with itself, and this error shakes our faith in the accuracy of this, the only detailed, account of the episode. If Patrick Fitz Maurice was brother of Juliana, wife of Thomas de Clare, he was son of Maurice Fitz Maurice of the Offaly line, and only distantly related to the Fitz Maurices of Kerry. However that may have been, Brian fled to Bunratty. Here, we are told, when Thomas de Clare had positive news of his people's great losses,² frenzy and rage possessed him. . . . The whole fortress rang with the women's cries of woe, Thomas's wife exclaiming 'that through O'Brien she had lost her good brother, and that never would God's blessing rest on any place where he should be'. All this so maddened Thomas, that 'to satisfy his wife and Fitz Maurice' [her father], who was in the house, he rashly and

Brian
executed.

1264, and possibly bitterness between the families survived in 1277, when Earl Richard was a minor and William 'the Grey' was the chief power in Connaught.

¹ Caithréim, p. 9: 'Pátraic Mag Muiris i. mac agus oigre Még Muiris chiarraide, agus ba derbráthair do mnái in Chláraig in degdamna sín.' Patrick Fitz Maurice is not mentioned in the Red Book of the Earl of Kildare, nor anywhere else so far as I am aware. He may, possibly, have been an unnoticed son of Maurice Fitz Maurice, in which case the only error would be in describing the latter as of Kerry.

² It would seem from this that Thomas de Clare was not present at the fight. He was with the justiciar, Robert d'Ufford, at Glenmalure in 1277, before Michaelmas: Cal. Docs. Irel., vol. ii, p. 267.

of evil motion caused O'Brien to be hanged on the spot.¹

This deed—seemingly motiveless,² the result of blind fury—was given a prominent place in the indictment drawn up on behalf of Donnell O'Neill and other Irish chiefs against the English, and sent to Pope John XXII in 1318, but it cannot have been regarded at the time in Thomond as an unpardonable offence, as within a year Donough O'Brien, son of the murdered Brian Roe and successor to his claims, renewed the alliance with Thomas de Clare. According to the Caithréim, Thomas sent a message to Donough expressing regret at the death of Brian, and offering 'as an eric' to assist Donough in his efforts to recover his father's throne. Donough accepted the offer, and Turlough once more fled before the allied forces.³ He returned, however, as soon as he had collected his supporters, and the fighting went on between the rival kinsmen.

Donough,
son of
Brian,
joins
Thomas
de Clare.

The savage character of the warfare may be

¹ Caithréim, p. 10. In the Annals of Loch Cé, 1277, it is stated that Brian 'was apprehended in treachery by the son of the earl of Clare, after they had poured their blood into the same vessel, and after they had formed gossipred, and after they had exchanged mutual vows by the relics, bells, and croziers of Munster, and he [Brian] was afterwards drawn between steeds by the earl's son'.

² Maurice Fitz Maurice may have had a grudge against Brian Roe for the burning of the towns of Ardahan and Kilcolgan in 1258.

³ Caithréim, pp. 10-11. This was probably early in 1278. On July 29 of that year the king repeated the order for Thomas de Clare to have a general summons of the military tenants to bring peace to his land of Thomond, but it appears that he did not get it until 1281; Cal. Docs. Irel., vol. ii, no. 1476, and p. 410. Thomas de Clare was in England for some time prior to November 16, 1278, when he was about to return to Ireland; *ibid.*, no. 1508.

'The
Carnage
of Clare.'

illustrated from an incident described at length in the *Caithréim*. Turlough and his brother Donnell surprised Mahon O'Brien and the O'Gradys, faithful supporters of Clan Brian, at Clare Abbey, and put them to flight. Turlough followed in pursuit, while his brother Donnell, being unopposed, rounded up the cattle of the O'Gradys, 'and having taken so many as they got of their men, their fair-haired women, their little boys and other members of their families, their servants, kerne, horseboys, and herdsmen, they made of them one universal litter of slaughter, a deed which shall long live as "the Carnage of Clare".' When Thomas de Clare came up to stay the marauders, Donnell, before retiring, 'bade bring the prisoners and cattle out upon *Móin na sead* (the heifers' moor) and indiscriminately massacre them, thus providing that when he abandoned them, the enemy, on finding them in his hands, should not have any great cause of self-gratulation'.¹

Partition
of Tho-
mond.

Desultory fighting between the rival kings seems to have ensued at frequent intervals until 1280 or 1281, when, we are told, Donnell Roe Mac Carthy, king of Desmond, induced Turlough to consent to a partition of Thomond with Donough, and this compromise was afterwards confirmed by the young Earl of Ulster, 'a very Conn for wisdom', who intervened and ordered that four hostages be given to Thomas de Clare—thus recognizing his supremacy in Thomond and his position as guardian of the peace—and that one half of the country be restored to Turlough.² As about this time, early in 1281, a feudal force was led by Robert d'Ufford, the justiciar, and Theobald

¹ *Caithréim*, pp. 13, 14.

² *Ibid.*, pp. 18, 19.

Butler against 'the disturbers of the king's peace in Thomond',¹ we may infer that the settlement was really the result of the intervention of the government. A brief interval of peace followed, and Thomas de Clare set about building the great castle of Quin² to defend his northern border. According to the Caithréim, while this work was going on, Donnell O'Brien, Turlough's brother, the hero of the 'Carnage of Clare', was treacherously slain by one of the workmen engaged in the building. In November 1282, the king specially commended Thomas de Clare for his diligence in preserving the peace of Ireland, and promised that when Thomas should come to the king in England he would favour the matters which Thomas desired to promote. He also approved of his retaining Thomas Fitz Maurice (of Desmond) to resist those who infringed the peace.³

But neither king of England, chieftain of Desmond, earl of Ulster, nor lord of Bunratty, could keep the O'Brien factions from flying at each other's throats. The struggle between the 'half-kings' soon broke out again. At first, according to the Caithréim, Thomas de Clare 'patched up a hollow peace' between the combatants, and fixed a boundary line between their

¹ Cal. Docs. Ireland, vol. ii, pp. 393, 400, 410. This was the first time that Thomas de Clare obtained the assistance of the military services due to the king. The expedition took place in a. r. 9 before St. John the Baptist's Day. Theobald Butler was allowed £128 16s. 2d. for his expenses. The cost was partly recouped by the sale of 340 cows, the prey of Thomond: 36th Rep. D. K., p. 53.

² For this castle see Appendix.

³ Cal. Docs. Ireland, vol. ii, no. 2005. In February 1284, seisin was ordered to be given to Thomas Fitz Maurice of the cantred of Ogashin and the half-cantred of Omulloid, which had belonged to his grandfather: *ibid.*, no. 2175.

Donough
slain,
1284.

shares.¹ This was probably in 1283, shortly before November, when Thomas went to England with the expectation of remaining there for three years.² But Turlough was not satisfied with his 'half-kingship', and at last in 1284, while Thomas was apparently still in England, he treacherously killed Donough at a conference on the banks of the Fergus.³

It may have been this event, or the ravaging of Tradry that followed, which brought Thomas de Clare back to Ireland in October, but there is no indication, either in the *Caithréim* or elsewhere, that he opposed Turlough or supported a rival in Donough's place. On the contrary, to this time should probably be assigned the arrangement in existence at Thomas de Clare's death, when Turlough O'Brien held seven cantreds and sixteen vills in Thomond, subject to a rent of £121 11s., and was the only Irish king recognized there.⁴ As long as Thomas lived there seems to have been little further disturbance in Thomond. He is not mentioned in the *Caithréim* or elsewhere as taking any part in affairs there after 1283, when he 'patched up the hollow peace' and went to England. On August 16, 1285, he was named with the justiciar, the Archbishop of Dublin, and Geoffrey de Geynvill, on an important commission

¹ *Caithréim*, p. 20.

² Thomas de Clare went to England before November 8, 1283, when he appointed attorneys to act for him in Ireland for three years, and his letters of protection were for the same period: *Cal. Patent Rolls*, 11 Ed. I, p. 86. He seems to have remained in England until after October 2, 1284, when he was about by the king's licence to depart for Ireland: *ibid.*, 12 Ed. I, p. 134.

³ *Caithréim*, p. 24. *Ann. Loch Cé*, *Ann. Clonmacnois*, 1284.

⁴ *Cal. Docs. Ireland*, vol. iii, p. 208.

to deal with the king's waste land in Connaught.¹ He was again named on a commission in Cork in April 1286,² and we do not hear of him again until his death—apparently from natural causes—on August 29, 1287.

Death of
Thomas
de Clare,
1287.

I have stated the few facts known about Thomas de Clare and his movements in these last few years with particularity, because they have been misstated, and baseless inferences as to his actions and motives have been founded on the misstatements. He has, indeed, been represented as the prime instigator of all the civil strife in Thomond since 1276—a strife said to have culminated in his defeat and death in battle at the hands of Turlough.³ But a sober judgement, based on a critical review of the authorities to which I have referred, and the conditions of the case, will, I think, show that the efforts of Thomas de Clare were repeatedly directed towards any settlement between the rival factions which promised peace in Thomond, and a peace which was, indeed, essential to his interest—while the sole authority for his defeat and death in battle is an entry in the slovenly compilation known as the Dublin continuation of the Annals of Inisfallen, compiled in the latter half of the eighteenth century—an entry, as shown in the appendix to this chapter, certainly incorrect on some points

¹ Cal. Patent Rolls, 13 Ed. I, p. 188. In Cal. Docs. Ireland, vol. iii, no. 135, 'Thomas de Clare' seems to be an error for 'Nicholas de Clere': see Cal. Patent Rolls, as above.

² Cal. Docs. Irel., vol. iii, no. 206.

³ See Mr. Westropp's account of the events from 1283 onwards, *Journal R. S. A. I.*, vol. xxi (1890-1), pp. 291-2, and *Transactions R. I. A.*, vol. xxxii, pp. 175-7. Reference to the documents on which he relies will show how he misconceives them.

and not borne out—nay, virtually inconsistent with—the source from which it was evidently derived.

The
manor of
Bunratty.

At the death of Thomas de Clare, Bunratty was a considerable town with 226 burgages.¹ The lands of the manor, which seem to have comprised nearly all the present barony of Bunratty Lower, were mostly let to free tenants or held by military service. Turlough O'Brien held seven cantreds and six vills in Thomond at a rent of £121 11s. Six vills at Quin and a few others were waste. The total income was £171 4s. 6d., not counting the value of advowsons and knights' services. Besides Bunratty, Thomas de Clare held (amongst others) the important manor of Inchiquin, including the vill of Youghal, in County Cork, and the manors of Knockainy and Mahoonagh, in County Limerick.² His heir was his son Gilbert, then in his seventh year.³ His widow Juliana, daughter and one of the heirs of Maurice Fitz Maurice, soon afterwards married Adam de Creting, to whom the lands of Bunratty were committed in wardship. After Adam's death, from December 1295 to April 1299, the manor (including Juliana's dower) yielded £613, of which Turlough's rent amounted to £374 13s. 6d.⁴ This account does not show much falling off in

¹ The burgages in Bunratty seem to have been rather more numerous than those in Youghal, and nearly equal to those occupied in Wexford in 1307 (Inquisition P. M., Joan de Valence). Mr. Westropp's summary of the De Clare inquisition, by an unfortunate slip, states that 'the burgesses of Bunratty held no burgages': Trans. R. I. A., vol. xxxii (c), p. 193.

² Cal. Inq. P. M., 16 Ed. I, no. 696; Cal. Docs. Irel., vol. iii, no 459.

³ Ibid., vol. iv, no. 819. Gilbert was born on February 3, 1281.

⁴ Cal. Pipe Roll, 26 Ed. I, 38th Rep. D. K., p. 39.

value, notwithstanding that it embraced the period of the siege of Bunratty to be mentioned by and by.

Meantime, apparently in the autumn of 1287, and probably after the death of Thomas de Clare, who is not mentioned,¹ Turlough passed in a desolating raid through the Butler territory of Owney and Ormond and the eastern extremity of County Limerick. The writer of the *Caithréim* in language of bitter irony exults over the destructive work. At Caherconlish, for example, where from the commencement of the century there was a castle of the Butlers,² the foreigners, we are told, advanced to meet the invading host. But their efforts were vain, 'for first they were soundly gashed in the fray, then for their hurts presently after had the actual cautery, a severe remedy which nevertheless yielded scant relief, seeing that it was furnished by a raging fire which greeted them at their return, and from bawn to bridge very soon wrapped the entire fortress. . . . And a grand exploit it was for them [the Irish] that out of the gloomy pile in which for scores of years before the tongue-tied strangers³ had unmolested dwelt, they now had fashioned (as it were) ladies' lightsome bowers, radiant with brave

Turlough
raids the
Butler
lands.

¹ The precise date of this raid is hard to fix. The outside limits are the death of Theobald Butler IV, in September 1285, and the death of the justiciar, Stephen de Fulburne, on July 3, 1288. The references to it in the records seem to point to the autumn of 1287 or the winter of 1287-8; see below. The *Caithréim* gives the date 1304, which is manifestly wrong.

² For the lands of Theobald Butler IV, see Pipe Roll (Ireland), 16 Ed. I, 37th Rep. D. K., p. 35, and cf. Rot. Pat., 16 John, p. 120 b.

³ *Balbh-gáill*: dumb or stammering foreigners, so called because they 'had little Irish'.

ornament of red'.¹ And so of many a prosperous settlement in Ely and Ormond.²

This raid was mainly directed against the lands of Theobald Butler, then in the king's custody, and it may be regarded as in revenge for the expedition made by Theobald into Thomond in 1281, and as an attempt to recover the old extended kingdom of Donnell Mor O'Brien. To check or punish the raiders, Stephen de Fulburne, the justiciar, led a force, which seems to have mustered at Cashel, against Turlough.³ We do not hear of any fighting, but there was a parley at Limerick, and Turlough was subjected to a fine of 600 marks for having peace for himself and his retainers, for which he delivered four hostages.⁴ According to the Caithréim, indeed, Turlough was

¹ Caithréim, p. 25. In his account from Easter 1287 to Easter 1289 the Escheator takes credit (*inter alia*) for expenditure on the wooden tower at Carkenlys (Caherconlish): 37th Rep. D. K., p. 36.

² The places specifically mentioned in the Caithréim are *Inis Amhlaoibh* (?), *Fiadh Mogháin* (?) or *Tiadh Mogain* (Timoney (?) in Ikerrin), *Magh n-Ailbh* (Moyaliff in Kilnamanagh), *Bealach Acaille* (Ballykelly (?) near Timoney), *Leitrach Odhran* (Latteragh, in Upper Ormond), and *Ceallmore Araidh* (Kilmore(?) south of Nenagh).

³ See Cal. Docs. Irel., vol. iii, p. 251, Petition of Robert de Callan (1289). The muster seems to have been at Cashel: 37th Rep. D. K., pp. 24, 27. In November 1290, the abbot of Wetheny (founded by the first Theobald Walter, *tempore* Richard I) was fined 60 marks for harbouring the Irish of Thomond: Cal. Docs. Irel., vol. iii, no. 802.

⁴ Pipe Roll (Ireland), 16 Ed. I, 37th Rep. D. K., pp. 33, 37. One of the hostages appears to have been Turlough's eldest son Donough, afterwards his successor. On August 6, 1290, the king commanded that the custody of the eldest son and heir of Turlough should be delivered to the Earl of Ulster; Cal. Docs. Irel., vol. iii, no. 756; and for a further fine Donough was soon afterwards delivered to Turlough: Pipe Roll, 20 Ed. I (as above), p. 51.

only persuaded to desist from his enterprise by the Earl of Ulster (who very probably was present at the parley in Limerick), and were it not for this, Turlough 'for a surety had been all Ireland's king'. So at least a fairy maiden, 'the Sovereignty of Erin', proclaimed to Turlough, while prophesying, 'woe to him who has robbed me of my gentle lover, of Turlough, man of dreadful prowess'.¹

*Flaithe
Erenn.*

Turlough, now undisputed king of Thomond and enjoying the favour of the great Earl of Ulster, was more powerful than ever, but he seems in general not to have interfered with the English. Only on two occasions during the rest of Turlough's reign do we hear of the collisions between the Irish and English of Thomond. About 1290, in consequence of a fracas at 'the round-towered stone-substantial town of Quin', in which two of the O'Liddys were killed, Cumea Mac Conmara attacked the castle: 'its ditch was crossed, earthworks carried, great gate battered in; its strong walls were breached, its English stammerers captured . . . and in the actual great castle a huge pile of stuff was given to the flames that ran riot till the whole became a black-vaulted hideous cavern'.² Again early in 1298, for some

*Burning
of Quin
Castle.*

¹ Caithréim, p. 28. The symbolism of a wedding with the sovereignty of Ireland is very old. See Rhys, *Celtic Heathendom*, pp. 414-16, where the term *Lug-nassad* is explained as Lug's wedding. So in *Ann. Loch Cé*, vol. i, p. 474, Aedh Mac Cathail is said to have been 'a husband to Cruachan'.

² Caithréim, p. 30. The burning of Quin Castle took place before September 1292 (*Cal. Docs. Irel.*, vol. iii, p. 498), and probably in the year ending Easter 1291, when the Escheator's account mentions journeys to treat with Turlough and the Irish of Thomond: 37th Rep. D. K., p. 42. Whatever damage was done to the castle at this time seems to

unexplained reason, Turlough besieged the castle of Bunratty, then in the king's hand. The siege lasted for five weeks, when the castle was relieved by expeditions from Limerick by land and water under John Wogan, justiciar.¹

Death of
Turlough,
1306.

Turlough died in 1306, and was succeeded by his son Donough.² In an extravagant passage, overlaid with epithets, Magrath states that Turlough raised three goodly structures: the regal edifice of his hospitality, i.e. the palace of Clonroad, the Franciscan Monastery at Ennis, and 'Heaven's own refulgent holy mansion that he won'.³

Ui Bloid
v. Mac
Con-
maras.

In 1307, according to the dates supplied in the *Caithréim*, but possibly a year or two later, war broke out between the clan-groups in Thomond. It originated in the lawless conduct of the Mac Conmaras, who not only killed one of the Earl of Ulster's constables—an act which might have been overlooked in Thomond—but pillaged the termonlands of Moynoe, and thus brought upon themselves the hostility of their old enemies, the Ui Bloid, by whom the church was venerated.⁴

have been repaired, as in the inquisition taken in 1321 after the death of Thomas, son and heir of Richard de Clare, it is stated that the 'Castle of Quin was thrown down during the lifetime of the said heir', who was a minor at his death. Moreover the Escheator's account for the three years ending Easter 1299, includes payments for the custody of the castles of Bunratty and Quin: 38th Rep. D. K., p. 42.

¹ The siege of Bunratty lasted from January 27, 1298, to March 3 following: 38th Rep. D. K., p. 42. The sum of £117 17s. 7½d. was expended on this expedition: *ibid.*, p. 45, and *Cal. Docs. Irel.*, vol. iv, no. 521. The *Caithréim* represents the siege of Bunratty as separated only by a brief interval from the burning of Quin, and states that Turlough forebore to take the castle only in consequence of the counsel of the Earl of Ulster.

² *Ann. Loch Cé*, 1306.

³ *Caithréim*, p. 32.

⁴ *Ibid.*, p. 35. The name *Ui m-Bloid* (pronounced with the eclipsing *m*) is preserved in the deanery of

To follow all the details of the conflict, known to us only through the *Caithréim*, would be unprofitable. At first Clancullen got the best of it, but a formidable confederation of 'all who nourished a spite against Donough Mac Conmara', chief of the clan, including a disappointed aspirant to that position, rose up against them. In the result Clancullen, divided against itself, was beaten, and its chief treacherously slain by some of his own men.¹ Early in 1311 King Donough, assisted by the de Burghs, entered the scene and defeated the confederates, who now included the shattered remnants of Clancullen and were led by Dermot, son of Donough, son of Brian Roe, representative of Clan Brian. Thereupon Richard de Clare, who had succeeded his brother Gilbert in 1308, came to the aid of Clan Brian, and with them and 'the two divisions of Clancullen' harried the territory of the supporters of King Donough.² Thus what was at first a conflict between local clans became virtually a war between the two O'Brien factions, in which each side was supported by a great Anglo-Norman house.

Donough
of Clan
Turlough
v. Dermot
of Clan
Brian.

'Omúlloid' in the East of Co. Clare. Belonging to the tribe were the O'Kennedys, the O'Shanahans, the O'Aherns, and others. They seem to have consistently supported Clan Brian, and were in general friendly to the de Clares.

¹ *Caithréim*.

² *Ibid.*, pp. 43, 44. Cf. the Irish annals, 1311. The *Caithréim* slurs over, while admitting, the defection of Clancullen from King Donough, but the Irish annals, which lump together events separately described in the *Caithréim*, state it quite plainly. Maccon and Sheeda Mac Conmara, brothers of the late chief Donough, were, however, not happy in the new alliance and retired to the rugged region of Slieve Aughty; but Loughlin (another brother) and Donnell 'Mac mic Chon', who seem to have been chiefs respectively of the two divisions of Clancullen, with the mass of the clansmen continued to support Clan Brian.

Richard
de Clare v.
William
de Burgh,
1311.

About May 7, 1311, the King of England ordered Edmund Butler and others to prohibit Richard de Clare and Donough O'Brien, 'who calls himself king of the Irish of Thomond', from continuing to wage war against each other.¹ But before this order could be carried out the de Burghs in company with King Donough invaded Tradry, and on May 20 William de Burgh and Richard de Clare came into actual conflict near Bunratty. Richard was driven back on his castle, but William de Burgh was taken prisoner, and then King Donough fled.² In the same year King Donough was slain near Corcumroe by the treachery of some of his own men,³ and the war for the moment was ended.

Dermot
of Clan
Brián sole
king.

Richard de Clare now succeeded in getting all the clans 'to unite together for concord', and Dermot of Clan Brian was chosen sole chief by acclamation, and duly proclaimed 'O'Brien' by Loughlin Mac Connara at the inauguration mound of Moy-Ar.⁴ But in the following autumn Sir

¹ Cal. Pat. Roll (Ireland), 3 and 4 Ed. II, p. 17 (84). Though the mandate is undated, the position on the roll shows that it belongs to May 1311, not 1309, as stated by Mr. Westropp in *Journal R. S. A. I.*, 1890-1, p. 383, nor 1310 as stated by the same writer in *Trans. R. I. A.*, vol. xxxii (c), p. 179.

² Irish annals; *Caithréim*, p. 44. There should be no doubt about this precise date, May 20, 1311. All the Irish annals and the Laud MS. annals place the battle in 1311, the latter giving the day, 'tertio decimo Kal. Iunii', i.e. May 20. Clyn gives the wrong year, 1310, but adds 'in die Ascensionis', which in 1311 (but not in 1310) fell on May 20. About June or before July 8, 1311, the king issued a further mandate relating to the discord between William de Burgh and Richard de Clare, but the actual order is illegible: Cal. Pat. Roll (Ireland), 3 and 4 Ed. II, p. 17b (92).

³ Ann. Loch Cé, &c., 1311, *Caithréim*, p. 46. He was slain by Murrough, son of Mahon O'Brien.

⁴ *Caithréim*, p. 47.

William de Burgh, with the assent of the earl, again interfered and destroyed the fair prospect. Entering Thomond in great strength the de Burghs defeated Dermot, who had to take refuge at Bunratty, and set up Murtough of Clan Turlough, brother of the late King Donough, as chief.¹ Murtough, however, found little support in Thomond, except from the MacConmaras under Loughlin, who now rejoined Clan Turlough, and he was soon driven out by Richard de Clare.

We may pause here for the moment to inquire into the motives which induced the de Burghs to pursue the apparently suicidal policy of weakening a neighbouring baron in face of 'the Irish enemy'. But in the first place it must be observed that the O'Briens had nearly always been friendly to the de Burghs. The first William de Burgh had married a daughter of Donnell Mor O'Brien,² and Donough Cairbrech, son of Donnell Mor, had consistently aided Richard de Burgh in the conquest of Connaught. William *Liath* de Burgh is said to have married Finola, daughter of Brian Roe O'Brien, and Edmund, one of Earl Richard's sons, married Sláine, daughter of Turlough O'Brien and sister of Murtough, the chief opponent of Richard de Clare.³ Then it seems probable that Thomas

The
policy of
the de
Burghs.

¹ Ibid., p. 48. This Dermot is called *Diarmaid cleirech*, or 'the cleric', in Ann. Loch Cé, 1311. He seems to have been son of Donough, son of Brian Roe. He died in 1313.

² *Ante*, vol. ii, p. 148.

³ For the marriage of Sir William *Liath* see Register of the Abbey of Athenry, Add. MS. 4784, Brit. Mus. It is rather remarkable that both these ladies seem to have married Turlough O'Connor, king of Connaught, after the deaths of their respective de Burgh husbands: Ann. Loch Cé, 1335, 1339. In order to marry Sláine (who was his aunt, Ann. Ulst., 1343) Turlough put away his existing wife, daughter of Aedh O'Donnell.

de Clare, through his Geraldine wife, incurred some of the enmity which existed between the de Burghs and the Fitz Gerald's, and which from time to time broke out into open violence. But apart from these personal grounds of antagonism, there were other motives which led the de Burghs to interfere. Thomond lay like a wedge between their lands in County Limerick and those in County Galway, and from their point of view it was desirable that the kings of Thomond should be under their influence. This object was most readily maintained by favouring Clan Turlough as against de Clare's protégés of Clan Brian. Nevertheless it was a narrow and short-sighted point of view, and the attitude of the de Burghs is an example of that want of solidarity among the English settlers which was a contributory cause of the subsequent failure of England for nearly three centuries to maintain the position that had been won in Ireland.

A guerrilla warfare ensued between the rival factions. The de Burghs gave shelter to Murtough and his men in Maenmagh, and from this base the Mac Conmaras made raids into Thomond, while they confined their chief prisoners in the earl's castle at Loughrea.¹ At last a conference was held between the earl and Richard de Clare, and a partition of Thomond between the O'Briens was arranged.² But nothing could keep the Mac Conmaras and Ui Bloid from carrying on the feud by any means, fair or foul, when either party

¹ Caithréim, p. 50. Loughrea was in the middle of the cantred of Maenmagh, which had been thoroughly colonized by the de Burghs, and it was with them, and not with the O'Kellys, as supposed by O'Grady, that Murtough took refuge.

² Ibid., p. 53.

had the other in his power, and by All Hallows the chiefs were at war again. Early in 1313 King Dermot¹ died. But the struggle was carried on between his cousin, Donough of Clan Brian,² and Murtough of Clan Turlough.

In 1314 a partition of Thomond was made between Murtough and Donough on terms favourable to Murtough, and Richard de Clare (like his father in 1283), 'seeing the country as it were patched up', sailed for England. But no sooner had he gone than Clan Turlough broke the pact and made the rent in the country worse than ever.³ Murtough got assistance from William de Burgh, Thomas le Botiller, and the Comyns, as well as from the O'Kellys and O'Maddens, and endeavoured to obtain the forcible submission of the clans that owed allegiance to his rival. His methods were no less barbarous than those of Turlough in his struggle with Donough, son of Brian Roe. The following example recalls 'the Carnage of Clare'. Clancullen (the Mac Conmaras), having routed Cinel Donnaly (the O'Gradys), came upon a stockaded enclosure in a forest where the latter had placed the cattle for safety. 'Clancullen', we are told, 'in the late rout had failed to have all their appetite of the runaways to slaughter them; now therefore they stormed the strong boodies of the Cinel Donnaly, and on that clan did grievous killing that played havoc with them: women and boys and whole families included; whereby that murderous far-secluded area became a mere heap of carnage thickly-stacked. There in

Partition
between
Donough
of Clan
Brian and
Mur-
tough of
Clan Tur-
lough,
1314.

Massacre
of the
O'Gradys.

¹ Ibid., p. 55, Ann. Loch Cé, 1313.

² He was son of Donnell, son of Brian Roe.

³ Caithréim, p. 70, and cf. Ann. Inisfallen (Bodleian), quoted by Mr. Westropp: Transactions R. I. A. vol., xxxii (c), p. 184.

abundance they had young men lying on their faces, women in lamentation, kine that bellowed deafeningly; and by this red raid Clancullen effectually relieved Cinel Donnaly of all care in respect of their cattle and young people.’¹

On the return of Richard de Clare later in the year, Clan Brian with his assistance once more expelled Murtough, who ‘remained with the earl in the fringe of Connaught’. Early in 1315 William de Burgh granted Murtough a hosting to win the country for him, but the levies before reaching Thomond were recalled,² evidently because they were wanted for greater issues elsewhere. Meanwhile throughout ‘the dark-visaged winter’ (1314–15) Clancullen was in danger of being overwhelmed by Clan Brian. Accordingly in the early spring they made a pretended submission to King Donough and gave him hostages.

Shift-
ing of
alliances
owing to
Scottish
invasion,
1315.

But now, as a result of the general upheaval in Ireland caused by the invasion of Edward Bruce, there was brought about a regrouping of the clans in Thomond and a shifting of alliances. In particular Richard de Clare turned against Clan Brian and gave his support to his former enemy Murtough. The author of the *Caithréim* does not explain the cause of this change of policy, but the facts he states, coupled with what we otherwise know, make it plain enough. In the spring of 1315, Richard, we are told, ‘ordered a hosting for distant service in the land of Leinster to destroy it’.³ Thus does the author of the *Caithréim* refer to the response of Richard de Clare to the summons of the feudal host of Leinster and Munster by the justiciar, Edmund Butler, to resist the invasion of

¹ *Caithréim*, p. 71. Note the characteristic irony.

² *Ibid.*, p. 75.

³ *Ibid.*, p. 76.

the Scots. Clan Brian, however, 'unanimously voted rather to make war on the English (settlers) and their domains'. These confederates, we are told, 'turned to generalize the war, to make their doings illustrious and furnish people with somewhat to say about them', that is to say, they were preparing to take advantage of the Scottish invasion to join in a general rising for the extermination of the English in Ireland.

As will be seen when we come to tell in detail the story of Edward Bruce's invasion, the forces under the justiciar were not employed immediately against the Scots in Ulster. That task was left to the Earl of Ulster, whose forces were routed at Connor in County Antrim on September 10, while the army under Edmund Butler, with whom was Richard de Clare, appears to have been engaged in suppressing risings in the marches of Leinster.¹

When Richard de Clare returned to Thomond he found Clan Brian apparently supreme in that territory, but the clans were seething with plots and counter-plots. Murtough, perhaps at this moment, was in Connaught, where he met the defeated earl,² but could get no help in that quarter. For in Connaught, too, at the instigation of Edward Bruce, the war for the expulsion of the English was in full swing. Felim O'Connor, who was still friendly with the earl, had been dispossessed, and

¹ There are allusions to this army in Pipe Roll (Ireland), 9 Ed. II, 39th Rep. D. K., p. 70, &c. According to a Memorandum Roll of the Exchequer, cited by Mr. Westropp (*Trans. R. I. A.*, vol. xxxii (c), p. 185), Richard de Clare was given 100 marks for his services against the rebels in the marches of Leinster in 1315. He was again thanked and rewarded on May 16, 1316: *Cal. Pat. Roll*, 9 Ed. II, p. 459.

² *Ann. Loch Cé*, vol. i, p. 571 (1315).

Richard
de Clare
supports
Mur-
tough.

his successful rival of the house of Rory, under the instigation of Edward Bruce, had burned the English towns and many of their castles from Sligo to Athlone. De Clare now finally threw over Clan Brian as being in league with the Scots and supported Murtough, who either from opposition to Donough or through the persuasion of the earl was ready to oppose them. First de Clare secured the adhesion of the Mac Conmaras by granting to their chief a charter of Ogashin.¹ Afterwards in company with Murtough and the Mac Conmaras he subdued the O'Shanahans, obtained the submission of the O'Deas, and eventually drove Donough into Connaught, where he found refuge with Teig O'Kelly.²

Battle of
Athenry,
1316.

The Scots
approach
Thomond,
1317.

When we come to describe events in Ireland connected with the invasion of Edward Bruce, we shall tell how Felim O'Connor, early in 1316, with the help of the barons of Connaught, overcame his rival in battle, and how he then turned against his allies and formed a confederacy, including Donough O'Brien and Teig O'Kelly, to expel the English from Connaught, but was defeated and killed in the following August at the bloody battle of Athenry. More fortunate than most, Donough escaped from this battle, and, according to the *Caithréim*, went to Ulster to solicit aid from the Scottish invaders. And now in March 1317 'the overwhelming wave . . . of close-packed Scots' were entering Munster, and 'clan Brian Roe

¹ *Caithréim*, p. 77.

² *Ibid.*, pp. 79-82. These events took place (presumably) after February 1316, when Edward Bruce returned to Ulster from his winter raid in Meath and Leinster, and (certainly) before August 10, 1316, when Donough O'Brien and Teig O'Kelly shared the defeat of Felim O'Connor at Athenry and when Teig was among the slain.

closely accompanying the King of Scotland and Edward Bruce his brother on that hosting' . . . 'for yonder in Ulster Donough, son of Donnell, son of Brian Roe had been with the Scots intreating them that they would come on this progress.'¹ By the end of the month the Scots had reached Castleconnel, and the feudal host, under Edmund Butler, Richard de Clare, the Earl of Kildare, and others, which had been hanging on their rear, was at Ludden² near Caherconlish, about eight miles to the south. There was some skirmishing, but no important fighting. Richard de Clare and Murtough O'Brien had Thomond well in hand, and consequently there was no rising of the Irish. On receiving news that Roger Mortimer had landed at Youghal and was advancing towards them with a fresh force, the Scots suddenly retired,³ having accomplished nothing in this direction by their raid.

Clan Brian, though 'left stranded' by the retreat of the Scots, was strong enough to force Clan Turlough from Quin to Bunratty, when Richard de Clare effected 'a cessation of arms' between the rival chiefs, and for a while all parties observed it.⁴ Richard then went to Dublin to attend a parliament—probably that which met on June 27, when the Earl of Ulster was finally liberated.⁵ According to the Caithréim he went 'to purchase peace for Clan Brian'; whereat Murtough was

¹ Caithréim.

² Clyn's Annals, 1317: *In Paschate*. Easter in 1317 fell on April 3.

³ Annals printed in Chart. St. Mary's, Dublin, vol. ii, p. 301.

⁴ Caithréim, p. 89.

⁵ Laud MS. Annals, Chart. St. Mary's, Dublin, vol. ii, p. 355.

Destruc-
tion of
Clan
Brian.

sent to the same session 'to confute his sly devices'.¹ While they were absent Dermot, brother of Murtough, who was left with the chiefry, took the question at issue into his own hands, and on August 15, 1317, summoned the tribes to take measures for the destruction of Clan Brian.² Into the mouth of Donough, when he heard of the intended attack, are put words which, if not prophetic of Thomond, were applicable to many other parts of Ireland: 'To universal Gaeldom', he said, 'this story will be a tale of woeful import, and this encounter is big with sorrow for the Erinachs; seeing that for the free-born clans of Brian's seed . . . and the other children of Conall, son of Cas, to come to one place for unsparing mutual destruction is merely to give the pale English charters and conveyance of all countries of the Gael.'³

Signs and omens multiply as the hapless king approaches his doom, and the poet-historian tells how Donough sees a loathly crone⁴ washing skulls in a mountain-tarn, and how he learns that it is his own skull and those of his companions that she is washing. The battle, which was then fought near the abbey of Corcumroe, is described at great length and was disastrous for Clan Brian. Donough himself was killed and most of the leaders, 'so that of Clan Turlough's foemen none save a bruised and battered few escaped with Brian Bane Mac Donnell O'Brien over Burren northwards'.⁵

¹ Caithréim, p. 86.

² Ibid., p. 87. The tribes met at Ralahine in Tradry.

³ Ibid., p. 90.

⁴ The writer here surpasses himself, and uses about ninety epithets to picture the hag.

⁵ Ibid., pp. 92-114.

After Murtough's return all Thomond, 'save a small fraction which, to serve de Clare's own purposes, Mahon O'Brien had of him', rallied to Murtough. He kept quiet during the winter, 'but', we are told, 'it wrung his heart to have Mahon in his (Murtough's) father's hold (the island-castle in Inchiquin lake); and he found it a hard thing to have Irrus and the Dunes (Corcovaskin) and Ibrikan, a slice of West Corcumroe, and half of the Upper Cantred (part of Inchiquin), Ui Flannchada (part of the barony of Islands), and Western Kinelea (the district about Kilmacduagh, now in County Galway)—all of them bulked together without a break from Cuchullin's Leap eastwards to Kilmacduagh—subject to Mahon as de Clare's vice-gerent.'¹ From this it would seem that an arrangement had been made, perhaps in Dublin, by which Murtough, as in 1314, was to hold Eastern Thomond with Clonroad and the cantred about Ennis, while Western Thomond was to be held by Mahon O'Brien, who had been a consistent supporter of Clan Brian, under Richard de Clare. Murtough soon began to make petty raids on Mahon, and in the beginning of the spring of 1318 Richard summoned them both to appear before his court. Murtough refused to appear without a safe-conduct, which Richard, it is said, refused.² Murtough thereupon took the law into his own hands, swept the country from Loop Head to Kilmacduagh, and banished Mahon.³

Murtough
expels
Mahon
O'Brien.

The barons at Limerick appointed a meeting to settle the dispute. All parties appeared, Murtough and Mac Conmara under the protection of Edmund

¹ Ibid., p. 118.

² Ibid., p. 119.

³ Ibid., p. 120.

The
barons
fail to
make
peace.

Butler, Maurice Fitz Thomas (afterwards first Earl of Desmond), and 'William Og' de Burgh. The meeting, however, came to nothing. Murtough was probably not prepared to admit the seignory of Richard de Clare in Thomond, nor to make suitable restitution and reparation to Mahon O'Brien. 'They propounded their terms', we are told, 'with guarantee of the barons that they should have effect; but de Clare refused the security, and insisted rather that they should submit themselves to his honour, i.e. their tender of reparation to be duly carried out at maturity, or [failing that] themselves to lie in his hands as pledges of fulfilment.'¹ Richard knew, from repeated experience, that Murtough's promises without hostages for their performance were valueless, and he was naturally unwilling to give the barons a right to interfere in his barony.

The arbitrement of the sword alone remained, and for this Richard de Clare was at the moment ill-prepared. Murtough left him no time for preparations, but immediately began to raid Richard's cattle, while the baron looked on helpless to interfere. Richard now sent messengers to William Og de Burgh to ask him to escort Mahon O'Brien and the O'Gradys to Kilnasoolagh. He seems to have prepared to comply and got as far as Ardrahan. On the same day Richard marched to Quin. His small force appears to have been mainly English, his tenants in Tradry, but he had with him Mahon O'Brien's two sons and Brian, son of Donnell, son of Brian Roe, and brother of the late King Donough, the last representative of

¹ Caithréim, p. 121. The text (p. 137) has 'Sir Muiris fáil Thomás agus Sir Uilliam óg a Burc', where *fáil* must, I think, represent the French *fiz*.

that family. His object, presumably, was to recover possession of Inchiquin for Mahon O'Brien, and he may have expected to form a junction with Mahon's forces. He had, however, first to obtain the submission of the O'Deas who lay in his line of march.

Conor O'Dea, having notice of Richard de Clare's approach, sent urgent messengers to Felim O'Connor of Corcumroe, and to Loughlin O'Hehir in the northern part of the barony of Islands, for help. Like Donough before his doom at the battle of Corcumroe, Richard de Clare, according to the Caithréim, passed on his march the banshee, Badhbh, dipping the blood-stained trappings of himself and his knights into a stream. Undeterred by such omens he advanced next day, May 10, 1318, towards Disert O'Dea. On the way he had to cross a stream, beyond which Conor O'Dea had set an ambush of his men. When the English came up they saw a detachment of horse and foot driving a prey across the stream into O'Dea's country. A fight ensued, and Richard, impetuously urging on his troops, put himself at their head. His opponents gave way, and Richard with a portion of his men crossed the stream after them. Then the men in ambush arose. Some held the ford and checked the main body of English troops, while the rest fell upon those who had already crossed and overwhelmed them. Richard was killed, and those with him were cut down to a man. The disaster did not end here. While the fight with the main body of the English forces was still going on, and O'Dea's men were being surrounded and hard pressed, first Felim O'Connor, then Loughlin O'Hehir, and finally Murtough himself—all with fresh forces—came to the rescue and completed the rout of the

Richard
de Clare
slain,
1318.

English.¹ Only a few escaped from the battle-field to Bunratty, whither Murtough followed them—to find the town ‘deserted, empty, wrapped in fire’. For when his wife and household received tidings that Richard was killed, ‘with one consent they betook them to their fast galleys’, carrying off with them ‘the choicest of the town’s wealth and valuable effects, and having at all points set it on fire. From which time to this’, adds the exultant chronicler, ‘never a one of their breed has come back to look after it’.

Character
of the de
Clares.

There is no reason to suppose that either Thomas or Richard de Clare were other than brave and chivalrous Norman knights, just and honourable according to the ethics of their times. They belonged to a class impregnated with the best traditions of feudalism. They were not like the turbulent barons of the Welsh Border, ready on occasion to make common cause with the natives against the Crown. Though not subservient courtiers, they were loyal vassals of the king, respecting his prerogatives, but also scrupulously demanding respect for their own rights, both from superior lord and inferior vassal. But this class of proud and loyal feudalists was just the class that was least happy in its relations, both

¹ *Caithréim*, pp. 126–9. For the date see *Laud MS. Annals*, *Chart. St. Mary’s*, Dublin, vol. ii, p. 358, where it is further stated that four knights, viz. Henry de Capella, Thomas de Naas (or rather, as in *Clyn*, Thomas de Lesse), and James and John de Caunton, were also slain, and that the body of Richard de Clare was said to have been cut into small pieces through hatred. In the *Escheator’s account* (*Pipe Roll*, 12 Ed. II, 42nd Rep. D. K., p. 20) it is stated that James and Henry de la Chapelle and Thomas de Lees, tenants of Richard de Clare, died on May 9; while according to *Clyn* the battle was fought on Thursday morning, May 11, 1318.

with the old Anglo-Irish lords and with the native Irish princes. The former regarded them with the jealousy and dislike not uncommonly felt towards 'superior people' of the same class, while the latter, proud and sensitive in their own way, resented their masterful manner and their foreign exclusiveness. The Geraldines with their half-Welsh extraction and long familiarity with Celtic usages, and the Burkes and others long settled in Connaught, had become much more akin to the Gael in sentiment and manners. They intermarried with the families of Irish chieftains and knew how to humour the Irish, so that a contemporary Irish writer could speak of them as 'those princely English lords who were our chief rulers, and who had given up their foreignness for a pure mind, their surliness for good manners, their stubbornness for sweet mildness, and their perverseness for hospitality'.¹ The de Clares had given up none of these things, and had nothing in common with the turbulent clans of Thomond whom they tried in vain to reduce to order. It was, however, no part of their policy to abolish the native chieftainship or to interfere with native rules and customs. What they aimed at was to secure as their quasi-feudal tenant-in-chief a Gaelic chieftain who would be loyal to the Crown and able and willing to restrain the turbulence of the native clans, so that they themselves might be left undisturbed to develop the resources of the manor of Bunratty. Unfortunately in this aim they were continually thwarted by the jealous barons of Connaught.

Thomas, son and heir of Richard de Clare and

¹ Hy Many, *Irish Arch. Soc.*, p. 136.

the last male representative of his house, was a minor at his father's death and died three years later,¹ when his lands were divided between his aunts.² Quin Castle was overthrown during his minority. Bunratty was held for some years by constables appointed by the justiciar,³ but in 1332 the castle was taken by Murtough O'Brien and the Macnamaras,⁴ and was levelled to the ground. The existing castle would seem to have been built on the same site, but on a different plan, after this date.⁵

End of
Anglo-
Norman
rule in
Thomond.

Thus was finally extinguished all hope of establishing Anglo-Norman rule in Thomond, and for upwards of two centuries the influence there of the English Crown was negligible, until in 1543 the 'treshaultetpuissant Seigneur', Murrough O'Brien, submitted to Henry VIII and was created first Earl of Thomond.⁶ Indeed, a generation later a writer on the state of Connaught and Thomond could point to Ennis, Quin, Clare, Bunratty, and other towns in the newly-formed county of Clare and say, 'In old times these were good market towns and had English jurisdiction in them, and were governed by portriffes and other officers by the authority of the King of

¹ He died Feb. 28, 1321 : 42nd Rep. D. K., p. 37. The lands were committed to the custody of Maurice Fitz Thomas and Maurice de Rochford.

² These were Matilda, wife of Robert de Wells, and Margaret, wife of Bartholomew de Baddlesmere.

³ e. g. Herbert de Sutton and James de Beaufoy in 1326 : Cal. Close Roll (Ireland), 20 Ed. II (141).

⁴ Clyn, Laud MS. In this year an expedition was led by Anthony de Lucy, the justiciar, into Thomond, September 9 to October 10 (43rd Rep. D. K., p. 56), but we do not know the result.

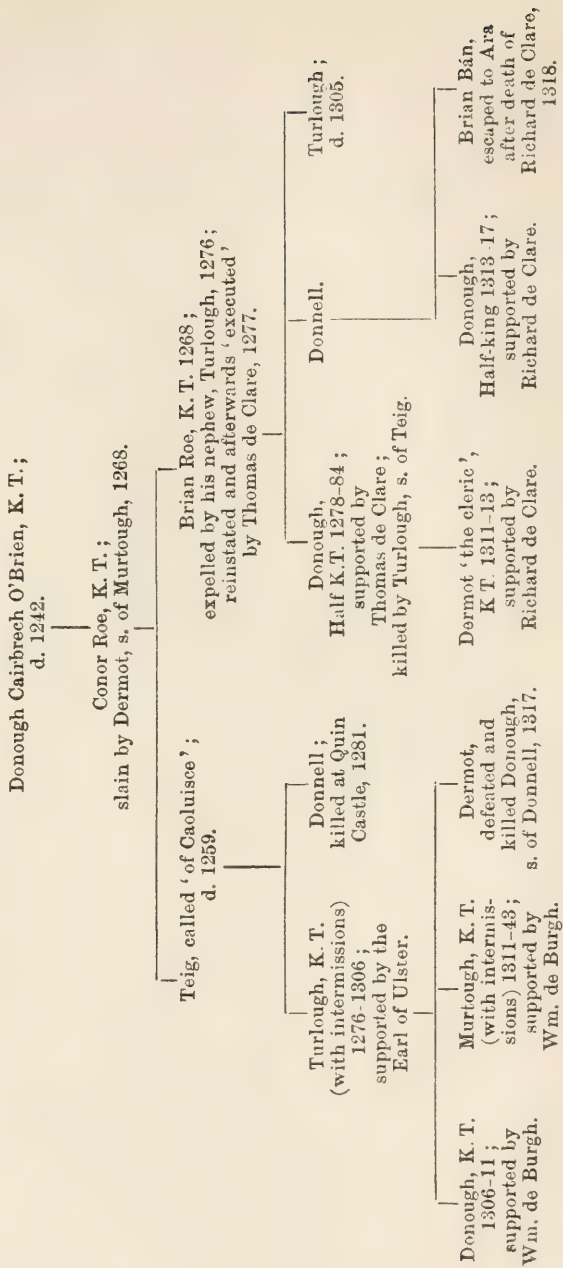
⁵ See Note B, at the end of this chapter.

⁶ Carew Cal. (1515-74), p. 203.

England; but now they are all wasted and destroyed in a manner, saving the castles, and no part of the towns left but old houses of stonework, broken gates, and ruinous walls.'¹

¹ Ibid. (1601-3), p. 475, a document ascribed to the year 1574.

CLAN TURLOUGH AND CLAN BRIAN ROE



NOTE A

THE DEATH OF THOMAS DE CLARE

THE evidences touching the death of Thomas de Clare are as follows: From the proof of the age of Gilbert, his son and heir, taken on September 22, 1302, it appears that Thomas died on August 29, 1287.¹ Three of the witnesses use this date in their calculations of Gilbert's age. One of them, Sir Maurice de Lees, was a member of Thomas's household at the time, another was in his custody, and the third was his servant. None of them speaks of Thomas's death in battle, as they surely would have done had it been the case.

Of the annalists, Friar Clyn, who died in 1349, writes: '1287. Mortuus est Geraldus filius Mauricii, capitaneus Geraldinorum: hereditatem suam dedit domino Iohanni filio Thome, filio adwunculi sui; hic Iohannes primus de hac natione factus est comes Kildarie. Obiit dominus Thomas de Clare.' Henry of Marlborough, vicar of Balscaddan, County Dublin, wrote annals in Latin which he commenced in 1406.² His entry (translated) is: 'Anno 1287, deceased Richard Deciter, Girald Fitz Maurice, Thomas de Clare, Richard (*sic*) Taff, and Nicholas Telling Knights.' This entry is reproduced in Ware's Annals. Some annals copied in the Book of Howth (p. 171) have: 'Sir Thomas de Claro, Sir Nicholas Tathe, and Sir Nicholas Telling died, 1287.' In the Annals of Clonmacnois the entry is: '1287 . . . Thomas de Clare died.' In the Laud MS. Annals under the date 1286 is: 'Obiit dominus Thomas de Clare.' So in Grace's Annals, 1286: 'Obiit Thomas Clarus'; and Camden translates 'The Lord Thomas de Clare departed this life'. Cox (*Hibernia Anglicana*, p. 77) states: 'This

¹ Cal. Docs. Ireland, vol. iv, no. 819.

² Harris's Writers of Ireland, pp. 322-3.

year 1286 was fatal to many Noblemen, viz. Maurice Fitz Maurice who died at Rosse, as Girald Fitz Maurice Og did at Rathmore; and the Lord Thomas de Clare could not escape the Common Fate, to which the Lord Justice himself [Stephen de Fulbourne] was forced to submit.' In all these entries there is no suggestion that Thomas de Clare died otherwise than in the course of nature, or that the obits mentioned were in any way connected with each other beyond occurring in the same year.

In short the sole authority, so far as I am aware, for Mr. Westropp's statement is the compilation made in the latter half of the eighteenth century known as the Dublin copy of the Annals of Inisfallen. There are several copies of this compilation written in Irish. In MS. 23 F. 9, R. I. A., the passage in question is rendered as follows: '1287. The Earl Thomas de Clare, who was the protector of the English in Munster, and the knights Gerald Mc Muiris, Riocard Taafe, Riocard Decetir, and Niocalas Teling were slain in Thomond in battle which they fought against Turlough son of Teige, Caoluisge O'Brien, and the forces of Thomond.'

Concerning these annals, O'Donovan, writing December 23, 1845, says: 'It appears from a letter (prefixed to the copy in the Academy) in the handwriting of Theophilus O'Flannagan that the Dublin copy of the Annals of Inisfallen was *manufactured* by the Rt. Rev. John O'Brien, some time R.C. Bishop of Cloyne, the author of the Irish Dictionary, who employed an Irish scholar of the name of Conry or Mulconry to arrange the language for him and make the copy. . . . O'Flannagan in his letter says that Dr. O'Brien made the Bodleian copy of the Annals of Inisfallen the ground-work of this compilation, but many entries have been added from sources good, bad, and indifferent.'

From the identity of the names it is pretty certain that the source of this last entry was the entry in Marlborough's chronicle, and that the addition, 'were slain in battle, &c.', is not authorized thereby, or indeed by any known authority, any more than the title of 'earl' given to Thomas de Clare.

But let us examine this isolated entry to see if by any possibility it correctly represents a fact unnoticed else-

where. Gerald Fitz Maurice, who was baron of Offaly, met with a signal defeat in 1285 at the hands of the Irish of Offaly, when he and 'about three score knights and freeholders' were taken prisoners 'with a great slaughter of the inferior sort'.¹ On June 26, 1287, at Rathangan he made a Letter of Attorney appointing John the clerk, formerly provost of Lea, to deliver seisin of the manor of Lea (i. e. his lands in Offaly) to John Fitz Thomas or his attorney.² This was part of that transference of his inheritance mentioned in the obituary entry in Clyn's Annals quoted above, and it formed, as we know, the basis of the claim of John Fitz Thomas to the succession. Gerald was only about twenty-three years of age, and it is very unlikely that he would have parted with his inheritance had he not been dying. Probably he never recovered from wounds received in the battle of 1285 or from the effects of his subsequent imprisonment, and the gift to his cousin John Fitz Thomas was in the nature of a *donatio mortis causa*. If this be so, it is clear that he did not fall fighting in Thomond on August 29 following. Indeed it would seem that he was dead before July 22 next, as on that day John Fitz Thomas made a Letter of Attorney authorizing Friar Roger, Abbot of Rosglas (Monasterevin), to take over seisin of the manor of Lea.³ The case of Sir Richard of Exeter is still clearer. He is a well-known man. He was a justice of the King's Bench before the death of Henry III and afterwards.⁴ He was deputy justiciar of Ireland at intervals from 1270⁵ to 1277. He held the manor of Derver in Co. Louth and also lands within the king's cantreds in Connaught, and he died on or before September 25, 1286, when by reason of his death his lands were in the king's hand to October 14 same year, when the manor of Derver was delivered to his son

¹ Ann. Clonmacnois, Clyn, Laud MS. 1285.

² Red Book of the Earl of Kildare, f. x.

³ Ibid.

⁴ Cal. Docs. Irel., vol. ii, p. 148, nos. 947, 1285.

⁵ 36th Rep. D. K., p. 54; Ann. de Monte Fernandi (Strade), 1270. There are several entries about him in these annals. His first wife died in 1262: *ibid.* He would have been at least fifty years of age in 1287, had he been then alive.

and heir.¹ We have therefore contemporary record evidence that he was not slain fighting in Thomond in 1287. Sir *Richard* Taafe is unknown, and the name is probably correctly preserved in the Book of Howth, which has Sir Nicholas Tathe (i. e. Taafe). He was justice of the Common Pleas at Dublin along with Richard of Exeter. I cannot fix the precise date of his death, but it was after March 14, 1286, and before Christmas 1289.² It is highly improbable that he died in battle in Thomond. I cannot identify Sir Nicholas Teeling.

It is certain then that the entry in the so-called *Annals of Inisfallen* is faulty in several particulars and cannot be trusted as an authority. If any one should nevertheless maintain that probably Bishop O'Brien did not draw wholly on his imagination, but may have had some authority no longer existing, for the statement as far at least as the death in battle of Thomas de Clare is concerned, I can deduce only negative evidence to the contrary, but its force in the circumstances seems irresistible. Had Thomas de Clare been defeated and killed in battle by Turlough O'Brien we should expect to find some allusion to the catastrophe in the numerous records which concern his death; the Irish annalists too could hardly have failed to notice Turlough's victory; and above all the author of the *Caithréim* would surely have surpassed himself in exultation over this crowning triumph of his hero. Turlough, we may add, would surely have followed up his victory by ravaging all Tradry and burning Bunratty, but we know from the inquisition post-mortem that this was not done.

Mr. Westropp indeed seems to have been so perplexed by this last omission that he was led to suppose a break in the *Caithréim* and to suggest that the lost pages told of the defeat and death of Thomas de Clare in 1287. This brings me to another important correction. So far as I can discern there is no sign of any break in the language of the *Caithréim* (Mac Cruitin's MS., T. C. D.,

¹ Pipe Roll (Ireland), 16 Ed. I, 37th Rep. D. K., p. 35. He was succeeded by his son of the same name, but this Richard was still alive in 1302: *Cal. Docs. Irel.*, vol. v, no. 106.

² *Cal. Docs. Irel.*, vol. iii, no. 203 and p. 252.

H. 1. 18), and there is no unusual gap in the events recorded. The suggestion of such a gap seems to have arisen from the faulty dates ascribed by a later hand in the margin of Mac Cruitin's MS. Donough's death, the real climax of the struggle with Turlough, is ascribed to 1283 instead of 1284, as in the annals. 'Next spring'—which may have been 1285, as Mr. Westropp supposes—'Turlough raided all Tradry.' Then at the new paragraph (p. 25 of O'Grady's text, before the words *Tungatur tra*) there is a marginal note in a later hand: 'Hic evidenter patet defectus satis extensus.' But there is no evident defect. An account of the raid through Theobald Butler's territory comes next, and this, as already shown,¹ took place about 1287 and not, as in the marginal date, in 1304. Later on, in 1305, according to the marginal date, there is an account of the burning of Quin Castle, but this took place before the summer of 1292, when Juliana, daughter of Thomas de Clare, stated on an inquisition that a certain charter was lost at the burning of the said castle.² Then Turlough burned the town of Bunratty and besieged the castle there. This was clearly the siege which lasted from January 27, 1298, to March 3 following.³ Afterwards Turlough defeated an attempt by his namesake and cousin Turlough, son of Brian Roe, probably in or shortly before 1305;⁴ and then in 1306 (the correct date here appears in the margin) Turlough died. Thus when the true dates are supplied there is no marked gap in the series of events, nor any reason

¹ *Supra*, p. 77. Mr. Westropp places this raid (which he mistakenly supposes concerned 'other possessions of de Clare') in 1285 (Trans. R. I. A., vol. xxxii, p. 176), but his only authority for this date (Cal., vol. iii, p. 79) concerns the expedition of 1281: cf. *ibid.*, vol. ii, pp. 393 and 410.

² Cal. Docs. Irel., vol. iii, p. 498. The burning probably took place within the two years ending Easter 1291, as the Escheator's account for that period includes payments for journeys to treat with Turlough O'Brien and the Irish of Thomond: 37th Rep. D. K., p. 42.

³ 38th Rep. D. K., p. 42.

⁴ This Turlough, son of Brian Roe, died in that year: Ann. Loch Cé, 1305; where the editor wrongly supposes that King Turlough is intended.

(except the alleged killing of Thomas de Clare) to suppose that any pages have been lost.

There is therefore no historical ground for this particular 'triumph' of Turlough, and we cannot wonder that Mr. James Frost and Mr. George Stackpoole Mahon 'failed to identify the battlefield', and found 'no tradition of de Clare existing among the peasantry of Tradry'.¹ Unfortunately Mr. Westropp's authority has misled subsequent writers on this point.

NOTE B

THE CASTLES OF BUNRATTY AND QUIN

THE first stone castle of Bunratty was probably built by Robert de Muscegros before 1254, when he died. It was certainly in existence, though out of repair, in 1275, when it was delivered to the king on condition that 'when peace should be restored and Robert de Muscegros [II] should have repaid the cost of repairing, defending, provisioning, and holding the castle in the king's hand, the king would restore it to him'.² Early next year, however, a new arrangement was made, and the king gave the whole of Thomond, with the castle of Bunratty and the cantred of Tradry, to Thomas de Clare. Thomas is stated in the *Caithréim* to have 'built a castle at Bunratty, containing an impregnable donjon', but the building was probably a restoration and strengthening of the castle of de Muscegros. However this may be, no part of the castle of the de Clares now remains. The entry in the *Laud MS. Annals* under date 1332 is as follows: 'Castrum de Bunrat capitur et ad terram prosternitur per Hibernicos Totemonie mense Iulii'; and though such expressions do not preclude the possibility of restoration on the same lines, the plan of the existing castle and

¹ *Journal R. S. A. I.*, vol. xxi, p. 292, note 3.

² *Cal. Docs. Ireland*, vol. ii, no. 1167.

some of its essential features point to a later date than the latter half of the thirteenth century. It is of a uniform plan, a rectangle about 63×42 feet with boldly projecting square towers at the corners, the towers being connected on the north and south faces by lofty arches flush with the projections. The outside measurement of the whole building is about 70×90 feet. Quin Castle, on the other hand, which was certainly built by Thomas de Clare, c. 1280, was a quadrangle of 122 feet with three-quarter projecting round towers at the corners, such as may be seen on a larger scale at the castle of Roscommon, built a little earlier.¹ The bases of three of these towers remain, and part of the curtain walls, 9 feet thick, are embodied in the beautiful church of the Franciscan Friary, founded on the site of the castle by Sheeda Cam Macnamara in 1402.² Between Easter 1287 and Easter 1289, after the death of Thomas de Clare, the Escheator effected some repairs at Bunratty. He was allowed £11 10s. 8d. for making $25\frac{1}{2}$ perches of a fosse round the castle and erecting a palisade, also £5 3s. 9d. for covering the great tower and the chamber near the water, buying new locks for the gate, and constructing and raising a wooden tower beyond the gate.³ Apart from these slight repairs and additions we may infer that the buildings were intact. Now the expression great tower, *magna turris*, could hardly be used to describe a castle of the existing type. The same expression recurs in the inquisition of 1321, taken after the death of Richard de Clare.⁴ Both it and the

¹ Rosecommon Castle was built by Robert d'Ufford, justiciar in 1269, Ann. Loch Cé. It was broken (*do brissed*) by Aedh O'Connor in 1272 (*ibid.*) and rebuilt early in the reign of Edward I: 36th Rep. D. K., p. 33. It was thrown down (*do legad*) in 1277 (Ann. Loch Cé), and repaired and strengthened in 1278-9: 36th Rep. D. K., p. 48. For ground-plan, 224×177 feet, see Journal R. S. A. I., vol. xxi, p. 546.

² Quin Friary is described and illustrated and the remains of the castle indicated by Mr. T. J. Westropp: Journal R. S. A. I., vol. xxx, pp. 427-39.

³ Pipe Roll (Ireland), 16 Ed. I. Escheator's account from Easter 1287 to Easter 1289.

⁴ Inquis. P. M. Thomas, son of Richard de Clare, May 26, 1321.

'impregnable donjon' of the Caithréim point to a round donjon tower, such as is to be seen (disfigured by an absurd open-work arcade recently erected on the top) at Nenagh. In fact, according to MS. authority quoted by Mr. G. U. Macnamara, in 1353 Sir Thomas de Rokeby, justiciar of Ireland, 'caused both Thomond and Munster with their rulers, to wit Mac Conmara and Mac Dirmuid [Mac Carthy], to submit to him, and he rebuilt the castle of Bunratty'.¹ The present castle, though greatly modernized in the seventeenth century, may perhaps date in essentials from this time, and a stone found in the castle, bearing a date which has been variously read 1357 and 1397, affords some support to this view.

About 100 yards west of the castle is a rectangular platform of earth, 20 × 14 paces, and about 12 feet high, with traces of a surrounding ditch. It appears to have been a slight work intended as the platform for a 'bretesche' (*britagium*) or wooden tower, and was presumably used as the basis of the wooden tower mentioned by the Escheator. It may, however, have been originally thrown up by one of the early feoffees at the beginning of the century.

All that remains of Clare Castle is a mural tower round on the outer side, and part of the bawn wall.

¹ See Journal North Munster Archaeological Society, vol. iii, pp. 220-327, and Antiquarian Handbook Series, no. vii, R. S. A. I., pp. 105-20, where Mr. Macnamara refers to Cotton MSS., Vesp. B. ii, fol. 126, and Domit. xviii, fol. 856. For the later history of Bunratty consult these papers.

CHAPTER XXXV

O'CONORS, DE BURGHS, AND FITZ GERALDS IN CONNAUGHT

1274-1315

IN the half-century that followed the death of Aedh, son of Felim O'Conor, in 1274, there were no fewer than fourteen successive so-called 'Kings of Connaught'. With the exception of one who ended his reign by a natural death, and another who, having turned against the English at the critical period of Bruce's invasion, was slain at the battle of Athenry, all of these kings were either killed or deposed by their own kinsmen or followers. The several branches of the O'Conor family, who were descended from Turlough Mor, king of Ireland,¹ were in fact inveterately jealous of one another and incapable of uniting under any one chief. This was so even of members of the same branch. There are few years during this period in which the Irish annals do not record some outrage or act of violence by an O'Conor against an O'Conor.

Fourteen
kings in
fifty
years.

The numerous descendants of Rory O'Conor, the last *ard-ri* of Ireland, had either been exterminated by their rivals or had sunk into obscurity, and, as we have seen, the kingship had passed

¹ Appended to this chapter is a Table showing the descent and relationship of the kings of Connaught descended from Turlough Mor up to the middle of the fourteenth century.

Grand-
sons of
Aedh, son
of Cathal,
1274.

to the descendants of Cathal Croiderg. In the previous fifty years, two of Cathal's sons, Aedh (d. 1228) and Felim (d. 1265), and one grandson, Aedh, son of Felim (d. 1274), had been kings. In 1274 it seems that there was no eligible descendant of King Felim, except an illegitimate son known as Aedh 'of Munster'¹, who was passed over for the moment; but there were some members of the senior line, grandsons of Aedh, son of Cathal Croiderg, who had hitherto escaped death or blinding at the hands of their rivals. Of these grandsons, Owen, son of Rory, was made king, but within three months he was killed by his cousin, Rory, son of Turlough, in the church of the Friary at Roscommon. Aedh, son of the blinded Cathal² (son of Aedh, son of Cathal Croiderg), next held the sovereignty—or, as the bard expresses it, was 'husband to Cruachan'—for a fortnight, when he was slain. He was followed by Teig, brother of the Rory who had slain Owen. Thus there were three new kings of Connaught in this year. Teig thought it necessary to imprison his brother Rory, but he

¹ Aedh *Muimhnech*, so called because he was nourished and brought up in Munster: see *Four Masters*, vol. iii, p. 424, note. He was fathered on Felim after that king's death; *Ann. Clonmacnois*, 1276.

² Cathal *Dall*: he was one of those blinded by Aedh, son of Felim, in 1257: *Ann. Loch Cé*, *Four Masters*, where he is called Cathal *Cuircech* or *Cairceach*; see O'Donovan's note.

³ Of this Teig there is a record in 1275 when the king authorized Geoffrey de Geynville, then justiciar, to treat with him regarding his petitions for a lease of Connaught: *Cal. Docs. Ireland*, vol. ii, no. 1135. The *Irish Pipe Roll* of 5 Ed. I (36th Rep. D. K., p. 40), contains entries of some payments in 1274 from Eugenius and Tatheg O'Konechor, i. e. Owen and Teig, grandsons of Aedh; and before Michaelmas 1277, £193 6s. 6d. was received as a fine from O'Konechor: *ibid.*, p. 54.

had a more formidable opponent in Aedh of Munster, the base son of Felim, who, in 1276, entered Connaught to claim the chieftainship against King Teig, and was supported by the Mac Dermots. There were burnings and depredations on all sides. Next year Aedh, with the help of O'Donnell, threw down the newly-built castle of Roscommon, and in 1278 both Teig and his brother Rory were slain, and Aedh of Munster assumed the sovereignty. Robert d'Ufford, the justiciar, now spent the sum of £3,200 in strengthening the castle of Roscommon, and the ditch round the town there, and in works at Randown and Athlone. He also sent a force to punish O'Donnell,¹ but does not seem to have interfered with the new king of Connaught.

'Aedh of
Munster,'
1278.

As may be imagined, the O'Connor territory during these years was the scene of almost incessant internecine warfare, which, however, did not extend to the de Burgh portion of Connaught. Hanmer relates that the king, in 1278, hearing of these 'civill warres', sent for the justiciar, Robert d'Ufford, 'to yeeld reason why he would permit such shameful enormities under his government'. The justiciar 'satisfied the king that all was not true that hee was charged withall, and for further contentment yeelded this reason that in policie he thought it expedient to winke at

Story
from
Hanmer.

¹ See his account, 36th Rep. D. K., pp. 48-9. This O'Donnell was Donnell Og, as to whom see *ante*, vol. iii, p. 274. His father married Lassairfhina, daughter of Cathal Croiderg, and both father and son befriended Cathal's descendants against their rivals. His action against Roscommon Castle perhaps brought upon him the enmity of the Government. A price was put on his head (Cal. Docs. Ireland, vol. ii, no. 2049), and he was slain in battle in 1281 by Aedh Buidhe O'Neill and Thomas de Mandeville: Ann. Ulst., 1281.

one knave cutting off another, and that would save the king's coffers and purchase peace to the land; whereat the king smiled, and bid him return to Ireland'. It is indeed clear from the Irish annals that at this period the English in no wise interfered in these contests for the kingship.¹

Cathal
Roe of
Clan Mur-
tough,
1280.

Another branch of the O'Conors, known as Clan Murtough, now came to the front. They were not descended from Rory, the *ard-ri*, nor from Cathal Croiderg, but from Murtough 'of Munster', another son of Turlough Mor. They had been left undisturbed in Erris and the district about Clew Bay (Co. Mayo) until 1273, when, in consequence of an outbreak in the previous year against the Butlers of Burrishoole, they were expelled.² In 1280 King Aedh was killed by them, and Cathal, son of Conor Roe, son of Murtough, son of Turlough Mor, was made king—the fifth aspirant who had won the perilous position in six years.

Ros-
common
Castle.

By this time Robert d'Ufford had completed the restoration of the great castle of Roscommon. As may be seen from the extensive ruins which have survived to this day, it formed a large quadrangle, with projecting round towers at the corners, and two gateway towers. In 1303-4 it had three draw-bridges and portcullises for two gates, also two outward bridges and gates. There

¹ Hanmer's Chronicle, p. 204 (ed. 1633). It was in May 1279 that Robert d'Ufford went to England to confer with the king: Cal. Docs. Irel., vol. ii, no. 1567. Gilbert (Viceroy, p. 109) characteristically quotes this story as indicating that the justiciar had adopted 'the policy of sowing dissension among the Irish septs', a charge which it does not support and for which there is not a tittle of evidence.

² Ann. Loch Cé, 1273; and see *ante*, vol. iii, p. 222.

was a great hall inside, and a carefully constructed well. It is on low ground, and there was formerly a lake close to the castle, which was partly supplied with water brought in a conduit from St. Bridget's well.¹ With this lake the castle-ditch was presumably connected. This castle, and those of Athlone and Randown, protected the cantreds of Omany and Tirmany, which were no longer leased to the O'Conors. These two cantreds, comprising the southern part of the present county of Roscommon, together with a considerable strip lying to the west of the River Suck in the county of Galway, were held in large lots by Philip, son of Richard de la Rochelle, Richard of Exeter, John de Saunford, and others, at rents which, however, they found difficult to pay.² Two cantreds and a half, comprising the north-eastern part of County Roscommon and the barony of Tirerrill in County Sligo, were leased to Cathal O'Connor from Michaelmas 1281.³ These cantreds were held by him and succeeding kings of Connaught at a reduced rent of one hundred marks, but 'the Irish rarely paid the whole farm and often nothing'.⁴

In 1284 the O'Conors were once more interfering beyond the bounds of their cantreds, and King Cathal threw down the castle of Kilcolman belonging to the M^c Costellos.⁵ Next year, Manus O'Connor, the king's brother, defeated the Cusacks at Ballysadare, and Philip, son of Miles M^c Costello, retaliated for the destruction of his castle by defeating Manus in the mountains, between Leyney

¹ Cal. Docs. Ireland, vol. v, p. 106.

² See *ante*, vol. iii, pp. 232, 246.

³ Irish Pipe Roll, 15 Ed. I, 37th Rep. D. K., p. 24.

⁴ Justiciary Rolls, vol. ii, p. 134.

⁵ Four Masters, 1284.

and Tireragh. The disturbance did not continue, and before the year was out Cathal entered into a bond with the king for one thousand marks to have his portion of the king's cantreds, and once more promised for himself and his men henceforth to keep firm peace.¹

Earl
Richard
de Burgh.

In 1286 Richard de Burgh, the young Earl of Ulster and Lord of Connaught, led a force into the latter province, where 'he obtained sway in every place through which he passed, and received the hostages of all Connaught, and he afterwards took with him the army of Connaught, and obtained the hostages of the Cinel Owen and the Cinel Connell'.² This is the first time that we hear of Earl Richard in Connaught. Perhaps he came to receive for the Government the pledges which King Cathal promised with his bond, but he may also have had occasion to enforce his rights against his own vassals, English and Irish. It must be remembered, too, that his principal tenant, Maurice Fitz Maurice, died this year, leaving female heirs, and the earl would naturally come to regulate the succession.

Manus of
Clan Mur-
tough,
1288.

The Clan Murtough proved to be no more united than the other branches of the O'Conors, and in 1288 Manus O'Connor forcibly deposed his elder brother, King Cathal, and assumed the sovereignty himself. Some fighting ensued among the O'Connor factions, and then the earl came with a force as far as Roscommon to deal with Manus. Here, near the border of Moy Ai, he found John Fitz Thomas³ of Offaly supporting Manus and his

¹ Cal. Docs. Ireland, vol. iii, no. 172.

² Ann. Loch Cé, 1286.

³ He is here (as generally) called by the annalists 'Mac Gerailt', but there can be no doubt as to the person intended.

people, and 'they challenged the earl to pass beyond that place' into the O'Connor cantreds. The earl, who was always reluctant to settle disputes by the arbitrement of the sword, did not take up the challenge, but left the country and dispersed his army. This is the first indication we have of the dispute between John Fitz Thomas and Earl Richard, which came to a head in 1294, and was not finally appeased until several years later.

Since the deaths of Maurice Fitz Maurice (1286) and the third Gerald Fitz Maurice (1287), John Fitz Thomas was making a claim as head of the Geraldines to the vast Geraldine estates in Connaught and elsewhere—a claim which, as regards Connaught, it seems that the earl was unwilling to admit. John Fitz Thomas was certainly not the heir of either Maurice Fitz Maurice or Maurice Fitz Gerald, but he seems to have been the nearest male agnate to both;¹ and it was not until about 1293 that he obtained the grants, entered in the Red Book of the Earl of Kildare, of the greater part of the Geraldine inheritance from the female heirs. The Earl of Ulster was the most powerful man in Ireland, and John Fitz Thomas the most ambitious, and the feud which arose between them, whatever precisely was its origin, first manifested itself in the desire which each entertained to control the king of Connaught. Obviously neither had any legal right to interfere in the 'king's cantreds', unless specially commissioned by the king; but we cannot wonder if they both thought that the policy of 'winking at

John Fitz
Thomas.

¹ The position of John Fitz Thomas in the Offaly family will be seen in the pedigree of the Barons of Offaly in Appendix II to this chapter.

one knave cutting off another' had already been pursued too long—more especially as the disturbances to the peace had recently begun to extend beyond the O'Conor borders. Unfortunately divergent interests or ambitions prevented them from uniting in support of the same Irish chieftain.

Manus O'Conor, however, was not disturbed, but was recognized as king by the Government. In 1289 John de Saunford, Archbishop of Dublin and justiciar, obtained the aid of Manus and a force from Connaught in some operations against Carbry O'Melaghlin, chief of the Irish in the western parts of Meath. The expedition was under the command of Richard Tuit, a Meath baron, while the archbishop's head-quarters were at the castle of Randown. The result was a victory for O'Melaghlin, who behaved himself with such lion-like valour as to be compared to Hector. Richard Tuit, 'the noblest baron at that time in Erin', was slain, and his brothers along with him.¹

In 1291 there was more fighting among the O'Conors. An attempt was made to depose Manus, but, assisted by the English of Roscommon, he maintained his position. Next year the earl again intervened, and Manus personally submitted to him, though this submission was against the wishes of his people and, it would seem, of John Fitz Thomas.

In 1293 Manus died after an illness—the only king in the half-century under review whose reign

¹ Cal. Docs. Ireland, vol. iii, pp. 268-70; Annals of Clonmacnois and of Loch Cé. The battle was fought near Lismoynty in Mageoghegan's country. Carbry O'Melaghlin was slain next year by his neighbours the Mac Coghlanes of Garrycastle.

was terminated by a natural death. The justiciar, William de Vesey, then intervened and made Aedh, son of Owen, of the line of Cathal Crovderg, king, but on the tenth day after his election, John Fitz Thomas, with an excess of Geraldine audacity, took him prisoner and slew fifty of his men. Cathal Roe now reassumed the sovereignty, but he was slain before the end of a quarter by a kinsman of the same branch, and Aedh, son of Owen, was restored by the justiciar.¹ This was presumably the origin of, or at least an incident in, John Fitz Thomas's quarrel with William de Vesey, which broke out about the same time as his quarrel with Richard de Burgh, and was probably connected therewith.

Aedh, son
of Owen,
1293.

John Fitz Thomas having restored the castle of Sligo, the seat of the great Geraldine manor in the north of Connaught now in his possession, went to England,² where he charged William de Vesey with treasonable practices. William, who had been superseded by Walter de la Haye as keeper of Ireland, appealed John of defamation before the King's Council in Dublin on April 1, 1294, and there was a wager of battle between the two. The king summoned the parties to Westminster, and on the day named, July 24, 1294, William appeared as an armed knight ready to do battle. John, however, made default of appearance, whereupon William demanded judgement. So much appears from the *Coram Rege* roll.³ Some

Quarrel
between
John Fitz
Thomas
and
William
de Vesey,
1294.

¹ Ann. Loch Cé, 1293. The kinsman who slew Cathal Roe was Rory, son of Donough Reagh O'Connor, who was son of Magnus, son of Murtough 'of Munster', see *ibid.*, 1288. The Four Masters, following the *Annals of Ulster*, have a confused entry here, evidently compounded from two sources.

² Ann. Ulst., 1293.

³ Cal. Docs. Irel., vol. iv, no. 147, and cf. nos. 135, 137.

Anglo-Irish annals, however, give a different version of the affair. They state that William, refusing the battle, fled to France, and that the king gave to John all William's Irish possessions.¹ It must not be supposed that John Fitz Thomas, who was a born warrior ready to appeal to arms at any moment, was personally a coward. His default appears to have been explained, and the whole proceedings annulled for informality. But it is certain that Kildare was not given to John Fitz Thomas until twenty-two years later, when he was made an earl by Edward II, in reward for his services against Edward Bruce. It is also clear that the charge of treason cannot have been credited, as William de Vesey was immediately employed by the king in a mission concerning the affairs of Gascony. Except that several writers have adopted and embellished the false version of this episode it would not be worthy of notice here.

Quarrel
between
John Fitz
Thomas
and the
Earl of
Ulster.

The quarrel with Richard de Burgh, Earl of Ulster, led to more serious consequences. During the same year (1294) the fighting among the O'Connor factions went on, and King Aedh, son of Owen, threw down the newly-restored castle of Sligo.² This outrage seems to have maddened John Fitz Thomas, who probably suspected that it was instigated by the earl. However this may be, on December 11, 1294, John took the earl prisoner and detained him in the castle of Lea in Offaly up to March 12, 1295, when his liberation was effected by the Parliament held at Kilkenny on that date.³ This whole episode, even in some

¹ Laud MS. Annals in Chart. St. Mary's Abbey, Dublin, vol. ii, p. 323.

² Ann. Loch Cé, 1294.

³ Clyn, p. 10 ; and Laud MS. Annals p. 323.

of its details, closely resembles the quarrel between Maurice Fitz Maurice and Earl Walter de Burgh thirty years previously, when the former imprisoned the justiciar, Richard de la Rochelle, and when another King Aedh burned the castle of Sligo.¹ In fact it seems certain that the later dispute was a recrudescence of the former one and had the same origin. It may be remembered that the grant of Sligo was not derived immediately from Richard de Burgh, the earl's grandfather, but from Hugh de Lacy, and it seems that both Maurice Fitz Maurice and John Fitz Thomas resisted the claims of subsequent earls of Ulster to the immediate overlordship of the district.² In fact when John Fitz Thomas liberated Earl Richard from imprisonment he made him release all his claim, both in demesne and in other respects in the land which John had in Connaught,³ and this enforced release, though afterwards annulled and the position of the parties actually reversed, shows clearly what John's claims were.

In consequence of the earl's caption, 'all Erin', we are told, 'was thrown into a state of disturb-

¹ See *ante*, vol. iii, pp. 241-4.

² It was of course as lords of Connaught and not as earls of Ulster that Walter and Richard de Burgh claimed to be overlords of the Fitz Gerald's in Sligo. But the latter may possibly have relied on a grant from the Crown to Hugh de Lacy. See *ante*, vol. ii, p. 187, note.

³ This release is transcribed in the Red Book of the Earl of Kildare, f. iii d. By it the Earl released to Sir John, 'totum ius et clamium nostrum quod habuimus tam de dominico quam aliis occasionibus in omnibus terris et teneamentis que idem Iohannis habet in Connacia . . . Datum apud Kilkennium die dominica proxima post festum Sancti Gregorij Pape a. r. Regis Edwardi vicessimo tertio. Hiis testibus domino Theobaldo le Botiller Thome filio Mauricii'.

The date (March 13, 1294) agrees with that indicated in the Laud MS. for the earl's release.

ance'.¹ With his liegeman, Peter de Bermingham, John attempted unsuccessfully to depose Aedh. The castle of Kildare was taken, apparently by Calvagh O'Connor Faly, who burned all the records of the county, and the surrounding district was wasted by both English and Irish. The Wicklow tribes seized the opportunity of the discord to rise and burn some of the towns that had grown up round the castles,² and Thomas Fitz Maurice of Desmond, keeper of Ireland, the Earl of Ulster, Theobald Butler, John Fitz Thomas, and others were engaged in suppressing the Leinster rebels in the summer of 1295.³ By August John Fitz Thomas, who had been impleaded in the king's court at Westminster touching the caption of the Earl of Ulster and other transgressions, had submitted to the king's will and bound himself and twenty-four mainpernors (whom he should find) to fulfil faithfully whatever the king should order.⁴ In October the king sent over John Wogan as justiciar, and he not only succeeded in making a truce between the disputants, but managed to induce them both to join the expedition against Balliol, King of Scots, in the spring of the following year.⁵ For their good services in this campaign both were pardoned for all transgressions in Ireland excepting those against each other.⁶ At

¹ Ann. Loch Cé. . On account of the war and the caption of the earl nothing was received in Hilary term, 1295, in respect of the fifteenth granted to the king: Cal. Docs. Ireland, vol. iv, no. 191.

² Laud MS. Annals, Chart. St. Mary's, vol. ii, pp. 323-4.

³ Cal. Docs. Ireland, vol. iv, pp. 123-4. For the conditions on which the Leinster tribes were admitted to peace, see Justiciary Rolls, vol. i, p. 61.

⁴ Cal. Close Rolls, 23 Ed. I, p. 457.

⁵ Cal. Docs. Ireland, vol. iv, nos. 267, 270; Ann. Ulst., 1296; Laud MS. Annals, pp. 325-6. ⁶ Ibid., nos. 315, 344.

length after further postponements, on October 22, 1298, the seals of the parties were put to an agreement by which Sir John acknowledged his trespass, put himself at the earl's will, and agreed to render to the earl all his lands in Connaught, Uriel, and Ulster. These lands were to be valued, and 120 librates thereof (i.e. lands of the yearly value of £120) were to remain to the earl and his heirs as amend for Sir John's trespass, and for the lands beyond that amount the earl was to make an exchange to Sir John of lands of equal value in Leinster and Munster.¹ John, however, made default in appointing valuers, and on March 16, 1299, before Sir John Wogan, the justiciar, he gave the earl in amend for his trespass the following manors, viz.: Loughmask, Dunmougherne (Co. Mayo), Kilcolgan, Sligo, Banada, Carbury, and Fermanagh.² These were seemingly all the lands he had in Connaught and Ulster, except Tirconnell, to which his claim was probably nominal, and it does not appear that any other lands passed between the disputants. This surrender gave the earl undisputed control in Connaught and greatly increased his already great power.

In 1296 Aedh, son of Owen, was deposed by his own sept, and Conor, son of Cathal Roe of Clan Murtough, was made king. The deposed king obtained assistance from the de Burghs, who endeavoured to make peace between him and his revolted *urrighs*. But 'though they promised peace, they did not observe it', but sided again with Clan Murtough. After some fighting, however, Conor Roe was slain and King Aedh restored,

Conor
Roe, 1296.

¹ Justiciary Rolls, vol. i, p. 235.

² Ibid., p. 236. For Dunmougherne see *ante*, vol. iii, p. 208, note.

mainly through the potent influence of Mac Dermot, who reverted to his side.

Bally-
mote
Castle.

In 1300 the earl commenced to build a castle at Ballymote in Corran. It was a strong castle with towers at the corners, and was designed to afford further protection for the great Sligo manor, the possession of which the earl had recently acquired from John Fitz Thomas in the circumstances already mentioned. This district was always the first to suffer from the outbreaks of the O'Conors and the Sil Murray clans.

Proposed
confisca-
tion of
O'Conor
territory.

In 1305 Earl Richard, in a petition to the king, after stating that 'O'Connor an Irishman, who had perpetrated many homicides and robberies in the earl's land', held in farm of the king the land of Sil Murray in Connaught, prayed the king that the said land might be granted to him or another Englishman at the yearly rent the said Irishman was accustomed to pay. Thereupon the king ordered John de Wogan, the justiciar, to inquire if the king without injury to himself or other might enfeof the earl or other Englishman, and how much the land was worth yearly. The inquisition was taken at Castledermot on October 13, and the jurors, consisting of twenty-eight knights and free-tenants of the counties of Connaught, Tipperary, Louth, and Meath,¹ said that Felim O'Connor held five cantreds of King Henry III, rendering 500 marks, and that all his life he kept the peace and faithfully paid his rent. But 'after his death his son arose and became a felon of the king, and slew the lawful Englishmen of those parts, and moved common war against the present king, and threw down his

¹ It is perhaps noteworthy that many of the jurors summoned did not come.

castles of Roscommon and Randown . . . on account of which he was outlawed and died a felon'. And that Robert d'Ufford 'again fortified the castle of Roscommon and demised to O'Conor (meaning Cathal Roe O'Conor) two and a half cantreds of the said land, viz. the cantred of Moylurg and Tirerril, the cantred of the Three Tuaths, and the half cantred of Moy Ai, rendering to the king yearly 100 marks, and so divers justiciars to divers Irish of that name by the like farm demised the two and a half cantreds; but the Irish rarely paid the whole farm and often nothing'. And they said that the two and a half cantreds were worth 100 marks in times of peace, and 'that if the Irish were driven from those parts, and the land assessed to faithful men', they would be worth 250 marks yearly; but this, they said, 'cannot be done without a great force of the king and inestimable expense exceeding the value of the land; especially as O'Conor is one of the five Irish captains of Ireland'. And they said that 'the king without injury to himself or other might enfeof the earl, or other whom he will', of the said cantreds, and that 'it would be to the advantage of the king and his faithful people of those parts if the king gave the land to the earl in exchange for 100 marcates of land or rent in land of peace; especially as the earl has his lands in Connaught and Ulster and a great force of English and Irish adjoining that land, by which he would be better able than another to chastise the Irish of that land'.¹

It does not appear that any action was taken on this finding. Certainly no immediate attempt was

No overt
action
taken.

¹ Justiciary Rolls, vol. ii, pp. 133-4; Cal. Docs. Ireland, vol. v, no. 437.

made to oust the O'Conors. Nevertheless, as we shall see, there are passages in the Irish annals which suggest that in 1310 William de Burgh, called '*Liath*' or 'the Grey', the earl's cousin, and in 1330-1 William's son, Walter de Burgh, both aimed, as the annalist in the latter case puts it, 'at seizing the sovereignty of Connaught for himself'. The later attempt was discountenanced by the then earl, and Walter de Burgh was imprisoned; but possibly the earlier action of William de Burgh was countenanced by both the earl and the Government. Indeed, seeing the long-continued disunion of the O'Connor families, their turbulence, and their inability to keep order among their own men, it would not be surprising if many thought that the only way to secure peace and order in the province was to put an end to the rule of the O'Conors and place them and the Sil Murray chieftains under the de Burghs.

Aedh of
Breffny,
1309.

Next year (1306) civil war again broke out in Connaught between King Aedh, son of Owen, of the line of Cathal Croiderg, and Aedh, son of the former king, Cathal Roe, of the line of Murtough of Munster. The latter is generally distinguished as Aedh of Breffny, probably because he was nurtured there. He was at any rate supported by the men of Breffny as well as by many of the sons of chieftains of Connaught. He occupied the Three Tuaths—the cantred along the Shannon including the present barony of Ballintober North—and made raids therefrom and burned the king's palace of Cloonfree near Strokestown. King Aedh held his own for a time, but promiscuous fighting went on among the O'Conors—Aedh of Breffny fighting even against his own brother Rory—until at length in 1309 King Aedh, son of Owen, and many of his principal men were slain

by his rival. Up to this time the de Burghs do not seem to have interfered.

But now a confused situation arose. The Three Tuaths at once submitted to Aedh of Breffny, but he met with opposition elsewhere. Mulrony Mac Dermot, king of Moylurg, the most powerful of the *urrighs*, entered Sil Murray with his household troops to defend the claim of his foster-son Felim, son of the late king, then only sixteen years of age. Both parties sought to obtain the support of the de Burghs. William de Burgh and his brothers came to Rathcroghan, invited by Mac Dermot, who was endeavouring to win the support of the local chieftains on behalf of Felim.¹ But the Sil Murray chieftains appear to have eventually given the lordship to Rory, brother of Aedh of Breffny.² Rory came with O'Flynn to the Plain of Connaught, and one of the Berminghams was killed by him. Whereupon, after an abortive conference, William de Burgh expelled Rory, and made forays into Leitrim and Sligo against Clan Murtough. Meanwhile Aedh of Breffny had gone to Meath to solicit the support of the earl, but without effecting his object. On his return he fought for his own hand. In 1310 he attacked Mac Dermot and burned and spoiled his country. William de Burgh now came to the assistance of Mac Dermot to Killummod near Boyle. Aedh secretly sent his brother Rory with a band to Bunina on Ballysadare Bay to destroy the castle there which William had left, and while this was being done Seonac Mac Uighilin³

Anarchic
situation.

¹ Ann. Loch Cé, Ann. Clonmacnois, 1309.

² This appears in Ann. Ulst. and Four Masters.

³ Mac Quillin : this is the first mention of a family afterwards famous in Twescard. They were clearly not of Irish descent, and the fact that they then held former Mandeville

Ambiguous attitude of William de Burgh.

(Johnnock Mac Quillin), captain of a mercenary band that acted as Aedh's body-guard, assassinated him. This deed is said to have been done at the instigation of William de Burgh, and on the *cui bono* principle this seems not improbable. William now billeted Mac Quillin and his two hundred mercenaries on the Sil Murray. 'And,' says the annalist, 'there was not a town in all Sil Murray without habitual *bonaght*, nor a district without exaction, nor a prince without oppression, during William Burk's rule over them'.¹ Aedh of Breffny is described at his death as the worthy 'makings' of an archking of Connaught and 'the best son of a king that came from Murrough, son of Brian Boru, downwards', but he does not appear to have been formally inaugurated king. In fact during the period (1309-10), from the death of Aedh, son of Owen, to the inauguration of Felim, there was anarchy in Connaught.

Felim, son of Aedh, son of Owen, made king by Mac Dermot, 1310.

Meantime William de Burgh took no steps to inaugurate Felim. It is indeed suggested that he was endeavouring to take into his own hands the government of the O'Conor territory. But when Mulrony Mac Dermot 'perceived that his foster-son Felim was ignored' and that he himself was given little power—'for the English were convinced that if he were weak the whole province would be under their sway'—he brought Felim on his own authority to Carnfree and had him inaugurated there according to ancient custom. If William de Burgh, who seems throughout all this period to have exercised the earl's power in Connaught, had any designs against the O'Conor

lands suggests that they were Mandevilles. Possibly the descendants of Hugh de Mandeville, mentioned in 1274 (Cal. Docs. Ireland, vol. ii, no. 1088), were called 'Mac Uighilin'.

¹ Ann. Loch Cé, 1310.

territory—as is not unlikely—he abandoned them after Mac Dermot's action. Felim was recognized as king and, except for some attacks from Clan Murtough, was undisturbed up to the year 1315, when, as we shall see, he joined the earl's expedition against Edward Bruce.

When we come to tell of the upheaval caused by Bruce's invasion we shall mention in greater detail how Felim was dethroned in his absence by Rory, son of Cathal Roe O'Connor of Clan Murtough, how Connaught was thrown into sheer anarchy, and how Felim, though he owed the recovery of his crown to the English, turned against them and was defeated and killed in the critical battle of Athenry (1316). Felim's cousin, Rory 'of the Faes', was now made king, and he and all the Sil Murray, except Mac Dermot, made peace with William de Burgh, who soon came to assert his supremacy. The exception was all-important however. Mac Dermot was strong and stubborn and rightly suspicious of William de Burgh, and his allegiance was given to Turlough, brother of the late King Felim. In vain did William de Burgh ravage his country. Mac Dermot would not come to terms, and when the English army departed he deposed Rory, and Turlough was made king (1317).

Scottish
Invasion.

Rory of
the Faes,
1316.

Turlough,
brother of
Felim,
1317.

Turlough appears to have been recognized as king by the English Government,¹ but he was dethroned in 1318 by a claimant belonging to a

¹ It would seem that he was the O'Connor to whom on March 8, 1318, the king granted that he should have the lands of Silmurray, the Faes or woods near Athlone, and the king's lands of Tirmany at the accustomed rents during good behaviour, except the lands of the English and the burgage lands of the towns: Irish Pat., 11 Ed. II, p. 23 (103).

Cathal of
Clan
Andrias,
1318.

new line, namely, Cathal, son of Donnell of Clan Andrias, a sept descended from Brian 'of Luighne', a son of Turlough Mor. Cathal, who was ancestor of the O'Conors Sligo, reigned for six years, when he was slain by the deposed Turlough, who now resumed the kingship. Turlough, though once more temporarily deposed, reigned altogether twenty-one years, and after a chequered career was slain in 1345. He saw the virtual breaking of the link which connected Connaught with the English Crown, but this fact did not make much difference to the extent of territory subject to his sway, except that the English tenants in Roscommon gradually disappeared. The Burkes of Mayo and Galway were too strongly established to be dispossessed, and the English tenants grouped themselves under them, while most of the Irish chieftains outside the five cantreds, who did not do the same, became practically independent.

Rory, K. C. 1156-86 ; Ard-ri 1166-71 ; d. 1198.	Cathal Crowderg or Red Hand, K. C. 1202-24.	Murtough 'of Munster', a <i>quo</i> Clan Murtough ; d. 1210.	Brian of Luighne, sl. 1181 ; ancestor of O'Conor Sligo.
Conor Maenmagh, K. C. 1186-9 ; sl. by his own people.	Turlough, K. C. 1225 ; d. 1239.	Aedh, K. C. 1228-33 ; sl. by Felim.	
	Rory Turlough ; d. in monastery of Knockmoy, 1266.	Felim, K. C. 1233-65 ; d. 1265.	Conor Roe ; sl. by his steward, 1245.
Cathal Carrach, K. C. 1189-1202 ; sl. by Cathal Crowderg.	Cathal Dall, blinded by Aedh, s. of Felim, 1257.	Aedh 'of Munster', K. C. 1278-80, sl. by Clan Murtough.	Cathal Roe, K. C. 1280-8 ; deposed by his brother Manus. d. 1293.
Owen, K. C. 1274 ; sl. by his cousin Roy.	Teig, K. C. 1274-8 ; sl. by Mac Dermot.	Rory, sl. by McClaney, 1278.	Manus, K. C. 1288-93 ; d. 1293.
	Aedh, K. C. 1274 ; sl. by Mageraghty.	Conor Roe, K. C. 1296 ; sl. by Mac Dermot.	Aedh 'of Breffny', K. C. 1309-10 ; sl. by Mac Uighilin. sl. by Felim.
Donough ; d. 1292.	Aedh, K. C. 1293-1309, sl. by Aedh 'of Breffny'.		Donough, sl. by Aedh of Breffny, 1307.
Rory 'of the Faes', K. C. 1316 ; sl. by his cousin Cathal.	Felim, K. C. 1310-15 ; sl. at battle of Atheenry, 1316.	Turlough, K. C. 1317-18, and again 1324-45 ; sl. by Clan Murtough.	Cathal, K. C. 1318-24 ; sl. by Turlough, s. of Aedh, s. of Owen.

THE BARONS OF OFFALY

Maurice f. Gerald I,
 enfeoffed in the middle cantred of Offelan and the cantred of Wicklow by Strongbow ;
 d. 1176.

William f. Maurice,
 s. and h., 2nd baron
 of Naas.

Gerald f. Maurice I, = Eva, dau. and heiress of Robert
 enfeoffed in moiety de Bermingham ; she brought
 of Offelan, including Offaly to her first husband
 Maynooth, by his and his heirs ; she married
 brother William ; (2) Geoffrey Fitz Robert,
 obtained Croom, Co. baron of Kells, and (3)
 Limerick, and lands Geoffrey de Marisco ;
 in Imokilly ; 1st she d. c. 1226.
 baron of Offaly ;
 d. 1203-4.

Thomas f. Maurice,
 obtained Shanid,
 Co. Limerick.

Maurice f. Gerald II, = Juliana . . . (?) : Reg. All Hallows, p. 16.
 2nd baron of Offaly ;
 1215 obtained seisin of his father's lands ;
 1235 given extensive lands in Connaught by Hugh de Lacy and Richard de Burgh ;
 1232-45 justiciar of Ireland ;
 d. 1257.

Gerald f. Maurice II;
d. *vivente patre* 1243.

(1) Matilda, = Maurice f. Maurice, = (2) Emeline, dau.
dau. of Gerald obtained the Con- of Stephen
de Prendergast, naught lands by his Longespée, heiress
and widow of father's seoffment; Red of a moiety of the
Maurice de Bk., f. viii; justiciar lands of her grand-
Rochford: 1272; 1276, did fealty father, Walter de
Theiner, Vet. for the lands Ridelsford.
Mon. ccxi. of his 2nd wife's
inheritance;
d. 1286.

Thomas f. Maurice,
enfeoffed in Banada, Co.
Sligo, by Maurice f.
Maurice: Red
Bk., f. xxii;
d. 1271.

Maurice f. Gerald III, = (2) Agnes de Valence;
grandson and heir of d. s.p. 1310.
Maurice f. Gerald II;
3rd baron; drowned
at sea 1268. By his
first wife (whose name
is unknown) he left
one son: Red Bk.

Juliana
= John de Cogan II,
gave her inheritance
in Cos. Kildare and
Limerick to John
f. Thomas: Red Bk.

Amabil,
gave her in-
heritance in
Connaught to
John f. Thomas:
Red Bk.

John f. Thomas
= Blanche de Roche.
He got in all hereditary
claims of Juliana de
Cogan and Amabil.
5th baron of Offaly. 1316
created Earl of Kildare;
d. Sept. 8, 1316.

Gerald f. Maurice III, = Joan, dau. of
4th baron of Offaly; Geoffrey de
granted Lea to John Geynville.
f. Thomas: Red Bk.
d. s.p. 1287.

John de Cogan III.

Thomas f. John,
2nd Earl of Kildare
= Joan, dau. of Richard
de Burgh, Earl of
Ulster; d. 1328.

CHAPTER XXXVI

THE EARLDOM OF ULSTER

1271-1315

A difficulty for the historian.

ONE of the difficulties of writing in any detail the history of Ireland in the thirteenth century is that there was little or no history common to the whole country. Each province and sometimes even smaller districts must be treated more or less separately. For though there was a central government nominally supreme over all, its influence and activities, while fully maintained in some parts, were almost unfelt in others. Not only did the relative strength of the English and the Irish inhabitants vary enormously in different regions, but even in parts dominated by the English the actual organization of society varied greatly. A similar difficulty no doubt faces the historian of Ireland in earlier times, but the secular struggle for the head kingship and the inter-provincial wars and alliances incident thereto serve to maintain a certain epic unity in the story. But all this was now a thing of the past, and though the general progress of English domination affords some substitute for the struggles of the provincial kings, the affairs of each province were in general little affected by events outside its borders.

Aloofness of Ulster.

This aloofness of certain districts is particularly true of the province of Ulster. Indeed it is noteworthy that throughout the whole historical period,

and, so far as we can see, even in the penumbral age before the dawn of authenticated history, the peoples of Ulster, broadly speaking, kept very much to themselves, and except on rare occasions interfered but seldom with the rest of Ireland. Yet both in the legendary and in the historical period their pre-eminence as warriors is acknowledged. Even when the nominal *ard-ri* was no longer as a matter of course one of the race of Niall Mor, they never, except perhaps momentarily, submitted to any other aspirant to the head kingship. When Henry II came to Ireland the Ultonian princes alone scorned to offer their submission, and though that fearless fighter, John de Courcy, forced the Ulidian chiefs of North-East Ulster (believed to belong to an older race) to submit to him, the great clan-groups of the rest of the province continued to preserve their independence in a marked degree.

The isolation and independence of control of the English of Ulster in the thirteenth century is even more marked. First we see John de Courcy, 'Princeps Ulidiaë', as Jocelyn calls him, reigning in Ulster like an independent king. At length he is displaced by Hugh de Lacy, at the bidding of King John, whom he had flouted. But that king soon finds that Hugh de Lacy is no more amenable to control than his predecessor, and he has to lead a great expedition in person to expel the earl he had created. This was the first important interference of the Crown in Ulster and it was the last. In the next reign Hugh de Lacy comes to his own again, and the earldom is as independent as ever of the Crown. So again it is when the earldom is renewed in the persons of the de Burghs. English Ulster stands aloof from Ireland, and Ireland from her. In other parts

the great families of Leinster and Meath obtain lands, first in Cork, then in Tipperary and Limerick, then in Kerry and Desmond, and finally in Connaught. The same families can be traced as leading feoffees in all these districts, but the followers of John de Courcy are not found elsewhere, and there is little or no further infiltration into this north-eastern corner of Ireland, though it was a 'land of peace'. Even the Geraldines who permeate everywhere else obtain no foothold in Ulster. What new blood is found there comes for the most part by sea from Gallogway and the Isles. Except in the brief periods when Ulster is 'in the king's hand' under royal seneschals—themselves usually Ulstermen—the justiciar never goes there, nor do itinerant justices, nor sheriffs, nor other officers of the Crown. Aids and subsidies do not appear to be levied in Ulster, and the Ulster barons do not figure in the feudal array. The Red Earl indeed, as we shall see, brings large forces to aid King Edward in his wars, but only after making, as man to man, a hard bargain for his reward. Even in face of the deadly peril of the Scottish invasion of Ulster, the earl, to his own discomfiture, is too jealous to accept the aid of the justiciar's army, and chooses to fight alone.

The cause
partly
racial,
partly
physical.

Now what was the cause of this persistent independence and aloofness of Ulster whether dominated by Gael or by Norman? It may have been partly due in each case to a racial difference, but it was made possible by certain physical conditions which rendered Ulster not easily accessible by land. North-eastern Ulster in particular can be approached from the south only through mountainous defiles north of the plain of Louth, where a handful could withstand a host.

Against the west it is bounded by the Newry River, Lough Neagh, and the Lower Bann, and what might seem the weakest point, south of Lough Neagh, was a difficult country of woods and bogs¹ and was further artificially defended in prehistoric times by the so-called 'Dane's Cast', and in Anglo-Norman times by the mote-castles of Moy Cova at Dromore, and the Crown Rath near Newry. Similarly, what seems to have been the southern boundary of the ancient kingdom of Ulaid was marked by great lakes and rivers and mountains and bogs, linked together by a great prehistoric ditch and rampart known generally as 'The Black Pig's Dyke'.²

When Earl Walter de Burgh died in 1271 his son and heir Richard, afterwards known as the 'Red Earl', was a minor about twelve years old in the custody of the king, and once more we have an example of the evils attendant on a minority. It needed the strong hand of a resident lord to keep order in a great feudal fief, and a seneschal appointed by the king, even if an upright man, lacked the necessary prestige and power. On the earl's death William Fitz Warin was appointed by Prince Edward's deputies as seneschal of Ulster, but his authority was challenged by Henry de Mandeville, who had been bailiff of the Twescard, or northern portion of the present

Minority
of Earl
Richard,
1271-80.

¹ These were 'Kilulto' (*Coill Ultach*), Kilwarlin (*Coill uairlinne*), and Clonebrassel (*Clann Bresail Mic Duilechain*). See Edmund Hogan's *Description of Ireland* in 1598, pp. 7-9.

² See *Proc. R. I. A.*, vol. xxvii (c), no. 14, and xxxiii (c), no. 19, where Mr. W. F. De Vismes Kane has traced the dyke across Ireland in three partly divergent lines which seem to represent three successive defences of a gradually shrinking Ulster.

Quarrel
between
William
Fitz Warin
and
Henry de
Mande-
ville.

county of Antrim, before Ulster was granted to Walter de Burgh.¹ Henry now seized the bailiwick of Twescard, but was deprived of it by the new seneschal. This was the beginning of a quarrel between William Fitz Warin and the Mandevilles, which was not finally appeased until after Earl Richard was given possession of his lands. According to the finding of a jury on an inquisition held before William Fitz Warin on December 27, 1272, Henry de Mandeville, when previously bailiff of Twescard, had been guilty of many extortionate, unjust, and violent proceedings therein set forth, and three days later 'the commonalty of Ulster, as well of English as of Irish', sent letters to the deputies asserting that Henry de Mandeville had been justly dispossessed of his bailiwick and strongly upholding William Fitz Warin's action.² The king confirmed the appointment of William Fitz Warin, and on receiving the finding on the above inquisition ordered him to take such amends for the trespasses of Henry de Mandeville as justice might require.³ The Mandeville party, however, did not submit. In a letter to the king in 1273, the mayor and commonalty of Carrickfergus report that Aedh O'Neill, king of Cinel Owen, and Cooey (Cumhaighe) O'Cahan, king of Keenaght, at the instance of the Mandevilles and their friends, had 'hostilely entered the king's land and brought into it homicide, burning, and robbery', but 'were driven to confusion by the valour of the seneschal, Hugh Bysset, and their friends'.⁴ About the same time

¹ See *ante*, vol. iii, p. 278.

² Cal. Doc. Ireland, vol. ii, no. 929.

³ *Ibid.*, nos. 941, 954-5.

⁴ *Ibid.*, vol. ii, no. 952; *Foedera*, vol. i, p. 520.

several Irish chieftains,¹ including in particular those whose lands lay among the English, also wrote to the king and took credit to themselves for having assisted the seneschal by pursuing and routing the king's Irish enemies. For this they said some of the king's council were endeavouring to oppress them, but they besought the king to confide in the testimony of the seneschal whom they were ready to obey as the king himself.

In the course of this quarrel it appears that Henry de Mandeville was slain. For his death and the disinherison of his sons, William Fitz Warin was prosecuted before the king's court, but was acquitted. This was before 1276. But when Richard de Burgh was given seisin of his lands in 1280, he appointed Thomas de Mandeville as his seneschal, and, at the instance of the sons of Henry de Mandeville, took into his hands all William's lands in Ulster, though said to be held of the king in chief, and seized and destroyed his chattels. In October 1281, peace was made between Earl Richard and William, and Thomas de Mandeville was ordered to restore the chattels. This, however, was not done, and further acts of pillage were committed on William's property by the Mandeville party, and William himself barely escaped with his life. In July 1282, an inquisition was taken by John de Saunford, escheator of

¹ Cal. Docs. Ireland, vol. ii, no. 953. These chieftains were N[iall Culánach] O'Neill, 'king of Incheun' (Inishowen), Mac Dunlevy, king of the Irish of Ulster (Uladh), O'Flynn, king of Tuirtre, O'Hanlon, king of Uriel [he is usually styled lord of Orior, but he had slain in this year Mac-Mahon, king of Uriel: Four Masters], D[ermot] Mac Gilla Muire, 'chief of Anderken' (*ui Derca Céin*), and Mac Artain, 'king of Onelich' (?), perhaps 'Ouelich', representing *Abhalagh*, 'a place full of apple-trees', now Ouley, a townland in Iveagh, where Mac Artain was at this time chieftain.

Ireland, and in the finding of the jury the above facts and the various acts of pillage and violence are set forth. The escheator then formed a court, before which William Fitz Warin presented his complaint. The defendants answered that they could not plead without the earl, 'whose tenants both they and the plaintiff were'. There was thus a question of tenure involved,¹ in which the earl seems to have gained his point. For ultimately it was arranged that the matter should be tried in the earl's court, and that only if right were denied him there should William seek right before the king.² We hear no more of the dispute and may suppose that justice was done by the earl. The whole episode shows what slight control the Crown had in English Ulster, even when in the king's hand during a minority.

In the absence of any more stirring events the quarrel between the Mandevilles and William Fitz Warin looms large in the records, but the dispute was mainly confined to the Twescard, and the damage to the property of the disputants.³ That the earldom generally did not suffer much, and was even then a lucrative property, would appear from the account of William Fitz Warin

¹ In the king's writs William's lands are stated to have been held of the king in chief. In 1305 in a plea between Alan, son of William Fitz Warin, and William de Mandeville, the former produced a charter from King John to William de Serland, 'his great-grandfather whose heir he was', of some lands including Drumroan in the Grange of Kiltullagh: Justiciary Roll, vol. ii, pp. 11 and 64. William de Serland was constable of Carrickfergus in 1213-15 and seneschal of Ulster in 1223.

² Cal. Docs. Ireland, vol. ii, no. 1918.

³ Henry de Mandeville's lands lay waste in 1277: 36th Rep. D. K., p. 32; and William Fitz Warin was allowed £105 13s. 4d., for decrease of rents owing to the war: Cal. Docs. Ireland, vol. ii, no. 2130.

for a little less than two years ending January 1276, when he accounts for £1,379 10s. 3½d., summarized as follows:—¹

Account
of Wil-
liam Fitz
Warin,
1276.

	£	s.	d.
Rent of the demesnes, burgages, mills, &c., of Carrickfergus manor, with pleas and perquisites, works of be- taghs, &c.	176	7	4
From demesnes, pastures, fisheries, &c., of the manors of Lochkel (Lough- guile) and Culrath (Coleraine) in Twescard	259	17	10
Rent of demesnes, burgages, &c., of the manors of Portros (Portrush), Port- coman (Bushmills), and Antrim . .	178	9	10
From the manor of Artken (Ardkeen, Upper Ards), with the fishery of 'Balimithegan'	60	19	8
From the manor of Dun (Downpatrick)	76	9	7
From different Ulster counties, viz. Maulyn (<i>Magh Linne</i>), Carrick- fergus, &c.	18	10	0
From farm of Ulster	608	16	0½

Owing to the differences in the grouping of the various denominations and to the changes which took place in the manors held at the time by the lord of Ulster, it is impossible to make an exact comparison between the values here set down, and those which, according to the inquisitions of 1333, appeared in the extent taken after the death of Earl Richard in 1326; but after making allowances it would seem that there was no very marked disparity between them. The total value in 1326 was about £442 a year, omitting the value of the military tenures, while in 1276, omitting the last item, 'farm of Ulster', it amounted to

¹ Pipe Roll (Ireland), 9 Ed. I, 36th Rep. D. K., p. 54. The items amount to £4 more than the total given.

about £385 a year. This large item, farm of Ulster, amounting to £304 a year, probably represents the rents then payable by the chieftains of the various Irish territories in the province—rents which it would seem from the account of Nicholas de Dunheved in 1260–61¹ were paid (if at all) in cows; but in Earl Richard's time it appears that the condition of their tenures was changed to that of the quasi-military service which, as herein-after mentioned, was in force at his death, and the monetary value of which was estimated at £355 a year.

The above account of William Fitz Warin does not include wardships and escheats, which are separately accounted for by the escheator, John de Saunford, and amount to upwards of £70.² Moreover at this time considerable portions of Ulster were held in dower, and the issues thereof do not appear in this account. The countess Emeline, widow of Hugh de Lacy and afterwards wife of Stephen de Longespee, died in 1276, and by her death the important manor of Dundonald came into the king's hand, as well as the castles of Antrim and Rath (Dundrum) and the sheriffdoms of Down and Nova Villa (Newtownards).³ Also Avelina, widow of Earl Walter, was at first 'improperly endowed' with five of his castles in the marches of Ulster, 'which belonged to its defence', and of almost all the homages of the Irish of Ulster, 'which likewise belonged to its

¹ *Ante*, vol. iii, p. 278.

² Pipe Roll (Ireland), 4 Ed. I, 36th Rep. D. K., p. 32.

³ *Ibid.*, and Cal. Docs. Irel., vol. ii, no. 2073. This last entry shows that William Fitz Warin's salary as seneschal was 100 marks per annum, and that he received £54 for his robes and those of his two associates during his term of office.

defence'.¹ A new arrangement was made, and Avelina was endowed with other lands, including the castle of Galway. This is one of many examples tending to show that the feudal law of dower was not only a great tax on the successor, but was a fertile source of military weakness.

In January 1280, Richard, son and heir of Earl Walter de Burgh, was given seisin of his father's lands and castles, when he was nearly if not quite of age.² He had evidently been brought up in the king's household, and in the same year is called 'the king's groom'.³ At Christmas 1283, he was knighted by the king at Rhuddlan in Wales.⁴ In the same year he married his distant cousin, Margaret de Burgh, great granddaughter of Hubert de Burgh, earl of Kent. The king now gave him the dower-lands in Ulster of Emelina, late countess, formerly wife of Hugh de Lacy, and the queen gave to him and his wife in special tail Hugh de Lacy's former manor of Ratoath in Meath, while he was also replaced in seisin of the former de Burgh property in Owey, County Limerick.⁵ The young earl and his bride were evidently high in favour in the king's court.

Earl
Richard
given
seisin,
1280.

In 1286 the Earl of Ulster led an army into

¹ Cal. Pat. Rolls, 1 Ed. I, p. 7. Sweetman's rendering (Cal. Docs. Irel., vol. ii, no. 950) is faulty. The point was that castles in the marches and services appertaining to the defence of the land should not have been assigned to a woman. As we shall see 'the homages of the Irish of Ulster' in Earl Richard's time included an arrangement by which a certain number of the earl's troops were billeted among them.

² Cal. Docs. Irel., vol. ii, nos. 1629, 1632.

³ Ibid., no. 1769.

⁴ According to Justiciary Rolls, vol. i, p. 452; but evidence given in proof of age cannot always be trusted.

⁵ Cal. Docs. Irel., vol. ii, nos. 2099, 2102, 2103.

Connaught. At this time Cathal Roe O'Connor of Clan Murtough was king. The annalists state that the earl 'obtained sway in every place through which he passed, and received the hostages of all Connaught; and he afterwards took with him the army of Connaught and obtained the hostages of Cinel Connell and Cinel Owen, and he deposed Donell, son of Brian O'Neill and gave the sovereignty to Niall Culánach O'Neill'.¹ Hugh Boy O'Neill, who had lived on terms of amity with Earl Walter, and with the support of Thomas de Mandeville and the English of Ulster had curbed the power of the O'Donnells in 1281, in a decisive battle at Desertereaght, near Dungannon,² was himself slain in 1283 by Brian Mac Mahon, chieftain of Irish Uriel. He was succeeded by Donnell O'Neill, son of Brian 'of the battle of Down', but the earl presumably thought that Niall Culánach, who is said to have been a brother of Hugh Boy, would be more amenable. In 1290 Donnell expelled Niall and assumed the sovereignty. Next year the earl again deposed Donnell and reinstated Niall, but no sooner had the earl left the country than Donnell, determined this time 'to mak sicker', killed Niall. He did not, however, gain his ulterior object immediately, for Brian, son of Hugh Boy, was now made king 'with assent of

The Earl
as king-
maker.

¹ Ann. Ulst., Ann. Loch Cé, 1286.

² Ann. Ulst., 1281. The 'Mac Martain' here mentioned and again in 1291 was, I think, Thomas de Mandeville, seneschal of Ulster, who, by a mandate dated February 14, 1283, was 'to be paid what was due to him for the head of O'Donnell proclaimed to be cut off:' Cal. Docs. Irel., vol. ii, no. 2049. Martin de Mandeville, who held lands in the time of King John in Mandevilleston (now Mansfieldstown), Co. Louth, was probably the eponym: Cal. Docs. Ireland, vol. i, nos. 1284, 1621.

the earl by Mac Martin (a Mandeville) and Mac Eoin (a Byset),¹ and Donnell was once more expelled.

We have already given an account of the quarrel which arose in Connaught between the Earl of Ulster and John Fitz Thomas, head of the Geraldines of Offaly and the earl's principal tenant in Connaught. It came to a crisis in December 1294, when Sir John captured and imprisoned the earl. But, as Sir John in amend for his trespass had to surrender all his Connaught manors to the earl, the ultimate result was greatly to consolidate and increase the earl's power over the whole north of Ireland from Galway Bay to Carlingford Lough. In Tirowen, however, Donnell O'Neill, taking advantage of the momentary weakness of the earl owing to the dispute, slew Brian, son of Hugh Boy, and 'great havoc was wrought of English and Gael along with him'.² So far as appears, Donnell was left in undisturbed possession of the chieftainry until the period of the invasion of Edward Bruce, whom he supported. We have no direct information of the attitude of Donnell O'Neill during these twenty years, but no hostile act is recorded, and as he was one of those summoned by the king to the Scottish war in 1314, his attitude, even then, cannot have been openly hostile.

In May 1296, John Wogan, the justiciar, the Earl of Ulster, Theobald Butler, John Fitz Thomas and others, with their forces, joined the king in his campaign against Balliol king of Scots, and on Pentecost Day the king feasted the leaders at Roxburgh Castle.³ About the same time James

Scottish
cam-
paign,
1296.

¹ Ann. Ulst., vol. ii, p. 375.

² Ann. Loch Cé, 1295.

³ Laud MS. Annals, p. 326.

The
Castle of
Roo.

the Steward of Scotland gave in his submission,¹ and a marriage was arranged between him and the earl's sister Egidia. On October 10 the king confirmed a charter by which the earl granted to James and Egidia in frank-marriage his Castle of Roo, the borough and demesne belonging to the said castle, the lordship services and rents of the lands of the English enfeoffed by the earl in Keenaght, and all the earl's land of Rennard (*Rinn Arda Magilligain*).² This is the first we hear of the manor of Roo, which was clearly already well established. It was in O'Cahan's territory of Keenaght, and the castle is probably to be identified with that long afterwards known as O'Cahan's Castle of Limavady. It was situated on a high projecting cliff on the right bank of the river Roe, near the Dog's Leap, which, in its Irish form, gave its name to the castle and old town of Limavady (*Leim an mhadaigh*). The manor must have reverted to the earldom, for from the inquisition of 1333 it appears that though then waste, it used to bring in to the late earl the considerable sum of £72 per annum.³

We have already mentioned that Cooeey O'Cahan, king of Keenaght, made a raid into the Twescard in 1273, when he was driven out by the seneschal William Fitz Warin. Probably Cooeey was dispossessed by the seneschal at about this time, as five years later, by a deed which is extant, Dermot O'Cahan, king of *Fir na Craibhe* (at this time

¹ His is the first name on the 'Ragman's Roll': Cal. Docs. Scotland, vol. ii, no. 823.

² Cal. Pat. Rolls, 24 Ed. I, p. 208.

³ For these and further particulars concerning the castle and manor of Roo see the writer's paper on 'The Normans in Tirowen and Tirconnell', *Journal R. S. A. I.*, vol. xlv (1915), pp. 283-6.

the name of the district about Limavady),¹ surrendered 'all the land of Oconcahil, which he held of the earl immediately, to hold to the earl in fee'.² The place-name has not been identified, but it was clearly in O'Cahan's territory, and the surrender may have been the origin of the earl's manor of Roo.

In this connexion it may be noted that Angus Og (Mac Donald), lord of Bute and Islay and Cantire, is said to have married a daughter of Cumhaighe (Cooley) O'Cahan, and, according to the Scottish tradition, being anxious to plant with settlers some portion of his lands, he accepted as dowry with his wife seven score men out of every surname under O'Cahan. Among these, it is said, were the Munroes, 'so-called because they came from the innermost Roe Water in the County Derry, their names being formerly O'Millans'³ [O'Meallain?]. Whatever may be thought of this origin of the name Munro,⁴ the tradition may have been based on an actual

Traditional
origin of
the Mun-
roes.

¹ When the territory of Tyrone (including the present County of Londonderry) was reduced to shire-ground in 1591, 'Faranyeryve' was one of the subdivisions of the barony of Limavady, now Keenaght; the others were Ardmagilligan, now Magilligan, and Kenaght, about Dungiven: see Colton's Visitation (Reeves), p. 129.

² From the MSS. of Lord de L'Isle and Dudley, H. M. C. 3rd Rep., p. 231. The deed is dated apud Novam villam de Blawic (Newtownards), 6 Ed. (I), December 1.

³ Book of Clanranald, translated in Skene's Celtic Scotland, vol. iii, p. 401.

⁴ It is countenanced by Alexander Macbain, 'Gaelic Personal Names and Surnames', p. 18, where he says: 'In the fourteenth century the name is "of Monro", which shows it is a territorial name, explained as *Bun-roe*, the mouth of the Roe, a river in County Derry, Ireland, whence the family are represented as having come in the eleventh [sic] century'.

exodus of some O'Cahan septs from the valley of the Roe. This exodus would harmonize in date,¹ and may well have been connected with the Red Earl's settlement in the same district.

The earl, with many others, was summoned to join the king's ill-timed and fruitless expedition to Flanders in the summer of 1297. He seems to have made preparations to go with John Fitz Thomas and others, but on October 23 the king found the conditions of the agreements made with the justiciar very hard, and preferred that the earl and John should remain in Ireland, and bade the justiciar 'recede from them in the most courteous manner he could, so that no one might have reason to be displeased'.² But the earl seemingly was displeased, and when he was summoned to the Scottish expedition of 1301, though the king besought his assistance in a remarkable message, he made unacceptable conditions and did not go.³ He took an important part, however,

¹ Angus Og must have been born about the middle of the thirteenth century. See Pedigree of Maic Somhairle: *ante*, vol. iii, Chapter XXX, Appendix.

In a canopied niche in the ruined church of Dungiven, the centre of the O'Cahan's territory of Keenaght, there is a tomb with a recumbent effigy of a warrior on the top, and below on the upright front the figures of six *gallóglaigh*, or galloglasses. It is traditionally ascribed to *Cumhaighe na n-Gáll*, or 'Cooey of the foreigners', and it probably represents this Cooey, whose connexion with the Gáll-Gaidheal of the Isles would account for the epithet.

² Cal. Docs. Irel., vol. iv, nos. 396, 404, 452. Nevertheless John Fitz Thomas seems to have gone, *ibid.*, 436, and there were many Irish foot-soldiers in the king's army: Rishanger, p. 414.

³ In the Annals of Loch Cé, 1301, it is expressly stated that the earl did not go. See too the account of John de Hothum: 38th Rep. D. K., p. 54. For the king's message to the earl, see Cal. Docs. Irel., vol. iv, no. 849. This message should be dated c. April 1301; cf. nos. 785, 788,

in the Scottish campaign of 1303, when he seems to have been given his own terms, and before setting out he is said to have made thirty-three knights in Dublin.¹ This campaign seemed at the time to have effected the conquest of Scotland, and the earl was one of the principal negotiators of the terms of peace.² In consideration of his services the king wiped out all the earl's debts at the exchequer, and these are said to have exceeded £11,600.³

Scottish
cam-
paign,
1303.

In 1305 the earl erected the castle of Northburgh in Inishowen.⁴ This peninsula between Lough Swilly and Lough Foyle had long been debatable land between the Cinel Owen and the Cinel Connell, and had often been raided both by Normans and by Scottish Gaels. The castle stood on a rock which rises at the entrance of Lough Foyle just opposite Magilligan Point, where the land also belonged to the earl in connexion with the manor of Roe. The keep, of which the basement and part of the upper walls remain, is a massive rectangular structure, 51 feet by 45 feet, with walls 12 feet thick at the ground level. It projects from the land side of an oblong courtyard, about 280 feet by 100 feet. At the entrance of the court-yard are two polygonal towers. The earl obtained lands in the parishes of Moville (in

North-
burgh
Castle.

799. It seems to be again abstracted with additions (out of place) in vol. v, p. 60 (first memorandum).

¹ Laud MS. Ann., Chart. St. Mary's, Dublin, vol. ii, p. 331. For a list of those about to go to Scotland with the earl, see Cal. Pat. Roll (Ireland), 31 Ed. I, p. 5 (21).

² Cal. Close Rolls. 29 Ed. I, p. 169; cf. Cal. Docs., Scotland, vol. ii, nos. 1419, 1451. The earl dined repeatedly with the Prince of Wales: *ibid.*, no. 1516.

³ Cal. Docs. Irel., vol. v, no. 340, and cf. p. 61.

⁴ Ann. Loch Cé, 1305, where it is called the New Castle of Inishowen.

which the castle was situated), Inch, and Fahan in Inishowen, as well as the temporal control of the city of Derry, from Godfrey Mac Loughlin, who was Bishop of Derry from 1297 to 1315,¹ and he obtained some neighbouring lands from the Bishop of Raphoe.² The castle was a garrison castle, and the earl used to receive £60 a year from Irish tenants of the manor, but no settlement of English tenants seems to have been made here.³

In the same year (1305) the earl obtained a grant of free chase in all his demesne lands in Tuirtri, Keenaght, Cinel-Owen, Inishowen, Moy Cova (about Dromore), and Mourne in the earldom of Ulster, as well as in his recently-acquired lands in Owey and Estermoy (Clanwilliam) in County Limerick.⁴ The population of the above districts in Ulster was almost exclusively Irish, and the grant is some indication of the widespread domination of the earl. But we have a surer guide to the extent of the Red Earl's possessions in Ulster, in Connaught, and elsewhere

¹ See Pat. Roll (Ireland), 3 and 4 Ed. II, p. 18 (128). In 1327 Bishop Michael Mac Loughlin complained to the Pope that the earl, 'supported by the favour of the temporal power', had constrained his predecessor to consent *verbaliter sed non cordialiter* to an agreement under which the earl had held for twenty years a certain part of the city of Derry and the temporal jurisdiction there, and certain advowsons and tenements, which belonged to the church of Derry, and the bishop prayed restitution: Theiner's *Vetera Monumenta*, p. 237; and Papal Letters (Bliss), vol. ii, p. 256.

² See Cal. Pat. Rolls, 4 Ed. II, pp. 292, 293.

³ For the above and further particulars concerning the Castle of Northburgh, see the writer's paper already mentioned, in *Journal R. S. A. I.*, vol. xlv (1915), pp. 286-8. Also, same vol., pp. 124-7.

⁴ Cal. Charter Rolls, 1305, p. 53.

in the inquisitions¹ of 1333. These inquisitions, indeed, were taken before Ulster had time fully to recover from the havoc and devastation caused by the invasion of Edward Bruce, and at a moment when the murder of the last de Burgh, Earl of Ulster, and the consequent reprisals and punishments had once more let loose the dogs of war throughout the province, so that the picture presented by the Ulster inquisitions is in several districts one of the waste and ruin of what had been a promising civilization. A measure of this waste and ruin may perhaps be found in the fact that, according to the jurors, the monetary value of the earl's interest in Ulster had decreased to about one-third of what it was when the last extent had been taken, i. e. presumably soon after the death of Earl Richard,² and from such indications as are forthcoming it would seem that even at the time of the earlier extent the value was very much less than it had been before 1315. The inquisitions in general state where the farmers and free-tenants of the seignorial manors and the tenants by knight service held lands, though it is not always easy to identify the place-names or to determine the extent of the lands so held. It is, however, pretty clear that all the baronies lying along the coast from the Bann at Coleraine round to Carlingford Lough, as well as a broad central patch about Antrim and the Six

The
Inquisi-
tions of
1333.

¹ For full abstracts with annotations of the inquisitions of 1333, relating to Connaught, see five papers by Mr. H. T. Knox in *Journal R. S. A. I.*, vols. xxxii and xxxiii (1902-3), and for similar abstracts of those relating to Ulster, see four papers by the present writer, *ibid.*, vols. xliii-v (1913-15).

² On August 14, 1326, John Darcy, the justiciar, went to Ulster to take into the king's hand the castles and lands of Richard de Burgh, deceased, and make extents of the same: *Close Roll (Ireland)*, 20 Ed. II, p. 35 (47).

Mile water, were strongly held by English tenants. The earl's principal castles seem to have been at Northburgh, Coleraine, Antrim, Belfast, Dundonald, Greencastle, Dundrum, and Carlingford. Carrickfergus was a royal castle. In Connaught the earl's principal castles were at Loughrea and Meelick in the south, at Ballintober near the O'Connor territory in the middle, and at Sligo and Ballymote in the north.

Quasi-
military
tenures.

But not the least instructive part of these inquiries is the section which discloses the former relations between the earl and the Irish chieftains of the province of Ulster. All the northern chieftains with the exception of O'Donnell¹ (who is not mentioned) are stated to have held their lands of the earl by the service of maintaining a fixed number (varying from 20 to 80) of 'satellites' (followers) appointed by the earl for the time being, and 'whenever the earl should wish to have them in his army they should be at his will, ready and equipped for whatever wars he might choose to assign them'. The chieftains mentioned are the representatives at the time of O'Cahan, O'Neill, Maguire, Mac Mahon, O'Hanlon, Mac Artain, Mac Gilmurry, and O'Flynn. The total number of 'satellites' was 345, and the monetary value of the services was estimated at £355. In ordinary times they would presumably form permanent body-guards for the chieftains favoured by the earl to protect them against rivals and hostile neighbours, while as long as the system worked smoothly the earl would have the nucleus of a standing force ready at his call to supplement that supplied by his English tenants. This right exercised by the earl seems to have been an

¹ O'Donnell may have held at a rent included in the £60 paid to the earl at Northburgh Castle by Irishmen there.

adaptation of the Irish custom of coigney (*coin-mheadh*) or billeting which appertained to the tribal chief, but like the military service of feudal law it was grafted on tenure.

The earl's children were married into the highest families of the three kingdoms. In 1302 his daughter Elizabeth was given in marriage to Robert Bruce, Earl of Carrick, and soon afterwards king of Scots.¹ In 1308 John de Burgh, the earl's eldest surviving son and heir apparent, married Elizabeth de Clare, daughter of Gilbert, late Earl of Gloucester, and through her mother, Joan of Acre, granddaughter of King Edward.² Upon their marriage the earl enfeoffed his son and daughter-in-law in a large number of manors, both in Ulster and in Connaught.³ In the same year another tie was formed with the house of Clare, by the marriage of the Earl of Ulster's daughter Matilda with Gilbert de Clare, the young Earl of Gloucester, who afterwards fell fighting with reckless bravery at the battle of Bannockburn.⁴ In 1312 the two great houses of the

The earl's children.

¹ Laud MS. Annals, Chart. St. Mary's, Dublin, vol. ii, p. 331. After Bruce's revolt in 1306 his wife and daughter Marjory (by a former marriage) were taken prisoners, and brought to England, and it was not until after Bannockburn that they were restored to Bruce in exchange for the Earl of Hereford: 'The Bruce' (Barbour), iv, 39, &c., and xii, 684, &c.

² The earl's eldest son Walter died in 1304, and the earl's wife died in the same year: Ann. Loch Cé, 1304. His son John died on June 18, 1313, leaving one son, William, afterwards earl, born September 17, 1312: Laud MS. Annals (as above), pp. 342-3.

³ For a list of these manors, see Cal. Close Rolls, 26 Ed. III, p. 442, and Pipe Roll (Ireland), 2 Ed. III, 43rd Rep. D. K., pp. 22, 24.

⁴ There was no issue of the marriage, and Earl Gilbert's heirs were his three sisters, viz. Eleanor, wife of Hugh

Geraldines were linked with that of de Burgh, by the marriages of the earl's daughters, Catherine and Joan: the former to Maurice Fitz Thomas, afterwards created Earl of Desmond; and the latter to Thomas, son of John Fitz Thomas of Offaly, and afterwards second Earl of Kildare,¹ thus sealing the reconciliation between these great Irish houses. The earl's daughter Avelina was married to John, son of Peter de Bermingham of Tethmoy, afterwards Earl of Louth;² and finally, another daughter (Alicia?) was married to Sir John de Multon of Egremont, who possessed extensive estates in Cumberland, Lincolnshire, and other English counties, and acquired with his wife some manors in Munster.³

In January 1306 Robert Bruce killed his rival, 'the Red Comyn', and stirred up the Scottish revolt against English domination. On March 25 he was crowned king of Scotland. Defeated on

Dispenser, Margaret, widow of Piers Gaveston and wife of Hugh d'Audley, and Elizabeth, widow of John de Burgh (d. 1313) and afterwards wife of Theobald de Verdun (d. 1316), and then of Roger d'Amory. For the partition of the lands in Co. Kilkenny between these sisters, see *ante*, vol. iii, p. 95.

¹ On July 3, 1329, John Darey, justiciar, married Joan de Burgh, Countess of Kildare: Laud MS. Annals, p. 371.

² See Papal Letters (Bliss), vol. ii, p. 209, from which it appears that John de Bermingham (whose marriage had been granted by the king to Richard de Burgh: Cal. Pat. Rolls, 1 Ed. II (1308), p. 76) was at first betrothed to the earl's daughter Matilda, but as she was afterwards chosen by the envoys of the Earl of Gloucester, as being the fairest, Avelina was assigned to him in her place. This necessitated a papal dispensation.

³ The marriages of the six daughters of the Earl of Ulster are given in Clyn's Annals, p. 18; also in the Gormanston Register (Cal., p. 2), where too a table is given of the descendants of John de Multon of Egremont (p. 15), and the partition of the Munster manors between his daughters is set out at length, p. 111.

June 26 at Methven by Aymer de Valence, Earl of Pembroke, he went into hiding. We hear of him seeking refuge with Angus Og, 'the heir of mighty Somerled', who sheltered him in the castle of Dunaverty in Cantire; but according to Barbour, 'ever fearful of treachery', he stayed there only three days, and then crossed the stormy sound to 'Rauchryne'¹ (now Rathlin Island), off the north coast of Antrim. Here he is said to have commandeered victuals for three hundred men every day while he lay there 'till the wyntir neir wes gane'. Then he sent James of Douglas to Arran, and followed himself in ten days.² At this time Rathlin Island (as well as Glenarm) appears to have belonged to Hugh Bysset. Now, before January 29, 1307, the king directed Hugh Bysset to procure shipping, men, and all necessities, and to join John de Menteith without delay, and proceed to repress the malice of Robert Bruce, hiding in the islands on the coast of Scotland. Arrangements were made to collect, equip, and pay a force of 600 men, but it was May 2 before they departed from Carrickfergus.³ There is a curious irony in the appointment of Hugh Bysset to hunt for Bruce in the Scottish islands at a moment when, if Barbour can be trusted, he was still hiding in Hugh Bysset's land. It is hard to refrain from suspecting that there was a secret understanding between hounds and

Robert
Bruce at
Rathlin,
1306-7.

¹ Irish *Rechru Rechra* (genitive, *Rechrann* or *Rechrainne*, from which Rathlin is a corruption). The island is still called by the natives 'Raghery', representing the old nominative.

² Barbour's 'Bruce', book iii, ll. 659-762; book iv, ll. 338, 460.

³ Justiciary Rolls. vol. ii, pp. 332-4; Cal. Docs. Ireland, vol. v, no. 710; and 39th Rep. D. K., p. 25, account of Richard de Wodehouse; Cal. Docs. Scotland, vol. ii, nos. 1888-9.

hare, and this suspicion is strengthened by the facts that eight years later John Byset accompanied Edward Bruce in his invasion of Ireland,¹ and that Hugh Byset's lands of Glenarm and Rathlin were confiscated on account of his adherence to the Scots.² But suspicion is not proof. During the struggle for Scottish independence many leading men changed sides, and chronology is not Archdeacon Barbour's strong point.

Once more before the Scottish invasion of 1315 we hear of Bruce in Ireland. At the end of May 1313, he sent some galleys to the coast of Ulster on a plundering expedition, but the Ulstermen resisted valiantly and put them to flight. It was, however, said that Bruce himself landed by leave of the Earl of Ulster to make a truce.³

The earl's
power.

Up to the period of Edward Bruce's invasion the Earl of Ulster was not only the most powerful man in Ireland, but in some respects he exercised a greater influence on affairs than the justiciar. It was to him that the king appealed in particular when he sought in Ireland for forces and subsidies for his foreign wars. His influence, moreover, was not confined to those of English birth or extraction. According to an Irish writer his mere word was enough to stay the king of Thomond in a career of conquest which would otherwise have carried him to the throne of Ireland.⁴ But, perhaps, just because he was so powerful, it was thought wiser not to add to his power by making him justiciar. Once, indeed, during the temporary absence of Sir John Wogan in the

¹ Laud MS. Annals, p. 344. He died in the following year.

² Cal. Patent Rolls, 12 Ed. II, p. 313.

³ Laud MS. Annals, p. 342; Ann. Loch Cé, 1313.

⁴ Caithréim, *supra*, p. 79.

autumn of 1299, the earl acted as his *locum tenens*,¹ and again on June 15, 1308, he was actually appointed by Edward II to be the king's lieutenant in Ireland, but on the very next day Peter de Gaveston received a similar appointment and a writ of aid was directed to Richard de Burgh.² The explanation of this change seems to be that at the last moment the king devised this method of saving his favourite from the full effect of his banishment from England, which had been inexorably fixed by the barons and bishops of England for June 25. Some late writers state that there was bickering between the earl and Gaveston, but there seems to be no foundation for the statement.³

Peter de Gaveston, Earl of Cornwall, came to Ireland accompanied by his wife, Margaret de Clare, eldest sister of the Earl of Gloucester, and a splendid retinue. We are told that in 1309 he subdued the O'Byrnes, rebuilt Newcastle Mc Kynegan, and Castle-Kevin, and cleared the pass through the woods from the latter castle to Glendalough.⁴ The subjugation of the O'Byrnes, however, was only for the moment, as in 1311 they broke out again along with the O'Tooles,

Peter of
Gaveston,
1308-9.

¹ Justiciary Rolls, vol. i, pp. 287-98.

² Cal. Pat. Rolls, 1 Ed. II, p. 83.

³ See Campion, Cox, Leland, and Gilbert. The supposition seems to be founded on the entry in the Laud MS. Annals that the earl *venit contra Petrum Gaveston apud Drogheda* on August 14. Probably the earl went to meet Gaveston to give him counsel and aid according to the king's mandate. The two were closely allied through the marriages with the house of Gloucester, and it was at Gaveston's instance that on September 12 following, payment to the earl of £2,150 15s. was ordered for arrears of pay: Irish Close Roll, 2 Ed. II, p. 7 b (16). The earl seems to have been absent from Ireland from this time up to Christmas 1309.

⁴ Laud MS. Annals, p. 338.

and a large force had to be sent to attack the robbers lurking in Glenmalure and other woody places; while the statement about the rebuilding of Newcastle may be doubted, as the Pipe Roll accounts, while showing that it was strongly garrisoned from May 20 to July 16 (1309), do not indicate that any works were in progress there. At Castle-Kevin, however, which had been burned by the Irish in the preceding year, rebuilding was effected, towards which the archbishop elect of Dublin, to whom the castle belonged, contributed £100.¹ Gaveston returned to England on June 23, 1309. His position in Ireland as king's lieutenant was anomalous, as throughout his term of office William de Burgh is repeatedly mentioned as *locum tenens* of John Wogan, justiciar, and he was paid his fee as such up to April 1309, at the rate of £500 a year, with £100 in addition as the king's gift.²

Edward II, from the time of his accession, practically abandoned his father's energetic policy regarding Scotland, and Bruce, taking advantage of the discord aroused in England by the opposition of the barons to Gaveston, was gradually mastering the kingdom. In August 1309, the Earl of Ulster was appointed to treat with Bruce for terms of peace,³ but nothing came of the negotiations. About this time the earl, for his good services to the late king, was pardoned the yearly rent of 500 marks for his Connaught lands, and was given the custody of the king's castles of

¹ Pipe Roll (Ireland), 3 Ed. II, 39th Rep. D. K., p. 34. For a detailed account of Castle-Kevin and Newcastle Mc Kynegan, see the writer's papers in Journal R. S. A. I., vol. xxxiii (1908), pp. 17-27, and 126-40.

² Close Roll (Ireland), 2 Ed. II, nos. 40, 68, and 109.

³ Cal. Pat. Rolls, 3 Ed. II, p. 189.

Roscommon, Randown, and Athlone.¹ He appears, however, to have left the direction of affairs in Connaught to his kinsman William de Burgh (the Grey), who at this time seems to have been aiming at the control of the O'Connor cantreds, and who in 1311, as we have seen, when dealing with affairs in Thomond, came into conflict with Richard de Clare.

In February 1310 a full parliament assembled at Kilkenny. The writs were addressed to the Earl of Ulster and eighty-seven magnates, whose names have been preserved, and the sheriffs were commanded to summon of every county two knights, and of every city and burgh two citizens or burgesses. At the suggestion of the king's council, the assembly, as being too cumbrous, delegated their powers to sixteen of their members, who passed many ordinances which, in the words of an annalist, 'would have been very useful had they been observed'. The disturbed state of the country occupied their attention. In Leinster, in particular, the growing power and turbulence of the Wicklow clans on the one side, and of those of Leix and Offaly on the other, had set an example of lawlessness which was now being followed by some of English name. The counties of Kildare and Carlow were no longer franchises, and there were now no longer lords of the liberties to organize resistance to the encroachments of the Irish or to keep order among the English. It was accordingly ordained that 'every chieftain of great lineage' (i. e. the magnates of high birth) should chastise those of his own family and of his own surname who trespass against the peace, and should take and render

Parlia-
ment of
1310.

¹ Cal. Pat. Rolls, 3 Ed. II, p. 182.

amenable to justice at the King's Court all malefactors and their adherents who should be found in his lordship in land of peace.¹ It is not to be wondered at if this sweeping ordinance, which sought to shift on to private shoulders the first duty of the State (as we conceive it), was not effectively observed. It was repeated in slightly variant forms in subsequent statutes, and penalties were added,² and in the reign of Henry VI it was reduced to the more reasonable ordinance that 'every man should answer for his sons and hired men'.³ It seems probable that the principle of this enactment was taken from the Brehon Laws, which provided that, if a malefactor absconded, the liability for his crime (*cin*) should fall upon his father and certain relatives, and, if they could not be caught, upon the chief.⁴ This was in fact 'the auncient Irish custome of Kin-cogish', to which Edmund Spenser alludes as having been made Statute-law.⁵

There was also a clause directed against the prises of great lords who 'take what they will without making reasonable payments', and 'lodge with the good people of the country to their impoverishment'—herein, too, following the custom of Irish chiefs,⁶ though in this case the practice was forbidden, and the Crown was to

¹ The Patent Roll on which this ordinance is preserved (Early Statutes, p. 267) has been obliterated in many places, but from 19 Ed. II (*ibid.*, p. 313), which purports to repeat the enactment, the above would seem to have been its substance.

² *Ibid.*, pp. 307, 313, 379, and 449.

³ Statute, 23 Hen. VI, c. 22.

⁴ Brehon Laws, vol. iv, p. 241.

⁵ 'State of Ireland', p. 54 (reprint 1810). 'Kin-cogish' is the exact phonetic equivalent of *Cin cómhguis*, or *cómhfhoguis*, 'the crime of relatives', meaning the liability of relatives of a wrong-doer for his crimes.

⁶ See *ante*, vol. i, p. 117.

prosecute, if others dared not. There were also ordinances, similar to those of the parliament of 1297, against keeping 'Kernes and Idle-men' at the cost of tenants in time of peace;¹ against supplying victuals or aid to rebels, or receiving them to a separate peace; and with reference to guarding the marches—thus showing the ineffectiveness of former provisions with these objects. Even now the principal sanction provided for the new ordinances was the excommunication pronounced by the bishops present against those who should break the king's peace or violate the aforesaid ordinances.

In the time of Earl Richard, up to 1315, there was comparative peace both in Ulster (in the large sense of the term) and in Connaught. The districts occupied by the English were no longer liable to the raids of Irish tribes, and the only disturbance of importance was a domestic one, arising out of the imprisonment of the earl in 1294. The families of the O'Donnell's, the O'Neills, and especially the O'Conors, were at times torn by rival claimants to their respective thrones; but these disturbances were generally kept within the boundaries of their respective territories. There were no inter-provincial, not even any inter-tribal, wars. The earl during this period exercised a power never held by any one man in Ireland before, and he seems in general to have exercised it wisely and with moderation.

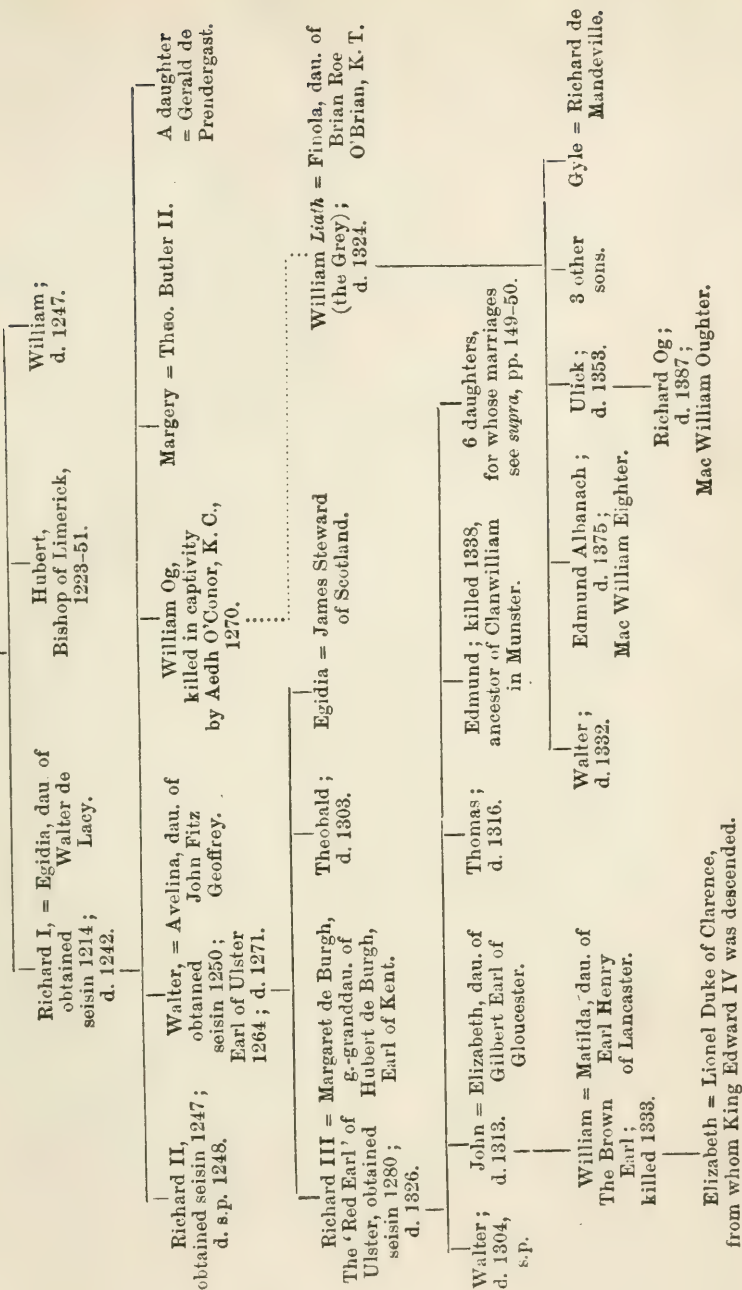
Peace in
the earl's
domains
to 1315.

¹ In these practices of billeting Kern (*ceithearn*, 'a band of foot-soldiers') and taking prizes we seem to have the germ of the customs of 'Coigney and Livery' which were forbidden by Statute (Early Statutes, p. 521) and bitterly denounced by Davies (pp. 131, 142). 'Coigney' represents the Irish *coinnheadh*, 'billeting': see the quatrain in *Four Masters*, vol. ii, p. 969, and as a verb, p. 1109, also *Ann. Loch Cé*, vol. i, p. 552. 'Livery' is presumably the French *livrée*.

The kings of Tirowen were his nominees. All the chieftains of Ulster, with the exception of O'Donnell, appear to have acknowledged that they held their territories of the earl, and to have submitted to the billeting of a small force upon them, ready at all times for his service. It seemed as if the Pax Normannica was at last beginning to extend over the entire north of Ireland, but the insecure fabric was shaken to its foundations by the Scottish invasion, and finally fell with the fall of the house of de Burgh.

PEDIGREE OF THE HOUSE OF DE BURGH

William de Burgh = dau. of Donnell O'Brien, K. T.,
brother of Hubert de Burgh, justiciar of England ;
d. 1206.



A daughter
= Gerald de
Prendergast.

Margery = Theo. Butler II.

William Lia'h = Finola, dau. of
(the Grey) ;
Brian Roe
d. 1324. O Brian, K. T.

CHAPTER XXXVII

THE INVASION OF EDWARD BRUCE

1315-18

Turning-
point of
English
influence.

THE invasion of Ireland by Edward Bruce in the year 1315 has been rightly recognized as the turning-point of English influence in mediaeval Ireland. Up to this time in spite of some backsets, notably during the troubled period in England caused by the Barons' War, the Anglo-Norman occupation had steadily progressed and Anglo-Norman domination was beginning to control more or less completely the whole of Ireland. The century preceding 1315 was, indeed, the period of Ireland's awakening, when she found herself more closely linked by ties political, ecclesiastical, economical, with the family of European nations, when her intestinal feuds became rarer and less disastrous, when her wealth increased and her foreign trade expanded, when her cities grew in strength and beauty and self-sufficiency, and small thriving towns arose round mediaeval castles over three-fourths of her area. There was every prospect that Ireland would continue to share in the movement of progressive countries, but the sequel showed that this prospect was largely delusive. In those days of difficult communication the king of England was too remote and too much absorbed in multifarious projects to fulfil his function as nerve-centre of the feudal system of a separate

island. The Anglo-Irish feudal lords were themselves jealous of English control, while, above all, their lack of sympathy with the Irish, whom they regarded as an inferior race, prevented them from establishing their power on the firm basis of a contented people.

Into the causes of the decay of this early Anglo-Irish civilization it is not proposed to enter further here ; but as Bruce's invasion marks its commencement, and was at least its occasion, it is important to piece together as full an account of his campaigns as can be gleaned from authentic sources.

The brothers Robert and Edward Bruce were grandsons of Robert Bruce, one of the competitors in 1291 for the Scottish throne, and were of Anglo-Norman descent ; but through their mother, daughter and heiress of Neil, son of Duncan, Earl of Carrick, they had the blood of the Scots of Galloway in their veins and could even claim a shadowy descent from the legendary ancestors of Irish kings. Through his great-grandfather, Duncan of Carrick, Robert Bruce may have had some hereditary claims to lands about Larne and the Glens of Antrim.

Descent
of the
Bruces.

After the crowning victory of Bannockburn King Robert of Scotland was able to take a vigorous offensive against England, and he naturally turned to strike his foe in the most vulnerable spots. He raided Northumbria, but he could not safely go very far in that direction. Ireland seemed an easier prey. Ireland had sent contingents of men and large supplies to aid the king of England against the Scots. To invade her shores would at once be a pleasing act of vengeance and would tend to cripple England for the future. It was seemingly not a difficult task, as Bruce might count on the assistance of the native Irish, with

Motives
for in-
vading
Ireland.

some of whom he was in correspondence,¹ and who were no doubt represented as everywhere ready to join him. Moreover, if we are to believe the Scottish account, King Robert was glad to have a new field for the ambition of his brave brother, Edward, who, according to Archdeacon Barbour,

Thocht that Scotland too litill was
Till his brothir and him alsua,

and who would otherwise perhaps demand an inconvenient share of the newly won kingdom.² Accordingly he supplied his brother with a select army for the invasion of Ireland, and promised to join him with further troops by and by.

Landing
of the
Scots.

On May 26, 1315, the Scots, to the number of 6,000 men under Edward Bruce, landed at the haven of Larne.³ Among the leaders were Thomas Randolph,⁴ Earl of Moray, and the follow-

¹ The Bruce, xiv. 8-15. This probably refers to Donnell O'Neill, king of Cinel Owen. See his Letter to Pope John XXII; Fordun's *Scotiechronicon*.

² The Bruce, xiv. 4-5; cf. Fordun, *Gesta Annalia*, cxxxiii: 'Iste Edwardus . . . nec voluit cohabitare fratri suo in pace nisi dimidium regni solus haberet, et hac de causa mota fuit guerra in Hibernia.'

³ According to Barbour (xiv. 33) they landed at 'Vaveryng Fyrth' or 'Wokingis Fyrth', corruptions apparently of one of the many names of Larne Haven which owe their origin to the Norse occupation: see Reeves, *Ecel. Ant.*, p. 265. The Laud MS. says they landed at 'Clondonne'. This I take to be Clondun[n]males, 'lying between Oldersfleet and the town of Larne'; *Inquis. Ultonie Antrim*, 7 Jac. I. It was the seignorial manor of Dunmalys of the Inquisition of 1333, now Drumalys, a townland in the Curran of Larne: see *Journal R. S. A. I.*, vol. xliii, p. 139. The two accounts therefore virtually agree. The supposed identity of 'Clondonne' with the Glendun river in the NE. of Antrim has led to confusion.

⁴ Thomas Randolph and John, son of Neil or Nigel

ing knights : Philip de Mowbray, John de Soulis, John Steward, Ramsay of Ouchtirhouse, Fergus of Ardrossan, John de Menteith, John Campbell, and John Bisset. Having overcome the resistance of Thomas de Mandeville and other local lords, and having been joined by Donnell O'Neill,¹ king of Tirowen, and some of the lesser northern chieftains,² Bruce advanced along the Six Mile Water, on either side of which there were many prosperous manors and demesne lands to be plundered and laid waste.³ He then proceeded southwards, forced the Moiry Pass⁴ between Newry and Dundalk in spite of the opposition of the local Irish chiefs, and on June 29 took and burned the town of Dundalk.⁵ From this he

Campbell, were King Robert's nephews. Philip de Mowbray held Stirling Castle against Bruce, but after Bannockburn joined the Scottish side. John de Menteith and Nigel Campbell were sent as envoys by Bruce to Richard de Burgh, Earl of Ulster, to treat of peace in 1309 : Cal. Pat. Rolls, 3 Ed. II, p. 189.

¹ Donnell was son of Brian O'Neill who was killed at the battle of Down in 1260.

² See *Cath Fhochairte Brighite*, Louth Archaeological Journal, vol. i, p. 81.

³ This was the ancient *Magh Line* (Moylinny). The castle of Dunedergale (Dunadry, in the Grange of Nilteen) was broken at this time by the Scots (Inquisition 1333, see Journal R. S. A. I., vol. xliii, p. 141). Also the neighbouring Rathmore of Moylinny : Ann. Loch Cé, 1315.

⁴ Called by Barbour the pass of Endwillane (The Bruce, xiv. 113) or Inderwillane (ibid. xvi. 62). It led, we are told, to Kilsaggart (ibid. xiv. 133), now Kilnasaggart, famous for its inscribed pillar stone, and this identifies the route with Moyry Pass. Cf. Journal R. S. A. I., vol. xliii, p. 40. It was probably the route of the ancient *slighe Midluachra*. The Irish chiefs who opposed Bruce were Mac Artain of Iveagh and Mac Duilechain of Clanbrassil (Co. Down).

⁵ Laud MS., Ann. Loch Cé. Barbour tells of a stubborn fight taking place in the streets of Dundalk between the Scots and the feudal host. A fight there probably was, but

ravaged the surrounding country, killing all who resisted, and even burning the church of Ardee when full of refugees, men, women, and children—an early fourteenth-century example of the ‘policy of frightfulness’.

The
feudal
forces.

Meantime Edmund Butler, the justiciar, with the feudal host of Munster and Leinster, and Richard, Earl of Ulster, accompanied by Felim O’Conor and the forces both English and Irish of Connaught, were converging against Bruce. About July 22 the earl met the justiciar in the hilly district to the south of Ardee,¹ but while they were arranging plans for annihilating or capturing the Scottish forces, who were clearly inferior in numbers, the latter gave them the slip and retreated northwards. Thereupon the earl, overconfident of his power to rid Ireland of the invader, and perhaps jealous of vice-regal interference in his earldom, unwisely dispensed with the assistance of the viceroy and undertook to bring Bruce, dead or alive, to Dublin. This was the first great mistake of the campaign. That night the earl reached Ardee in pursuit of Bruce, who was then some ten miles further north at Inishkeen. Next day the earl advanced to the town of Louth, but though there was some skirmishing between the earl’s advance guards and the Scots, who lay in a wood near Inishkeen, Bruce, persuaded by O’Neill, declined a pitched battle and they retreated ‘by regular marches northwards to Coleraine, and to the border of Inishowen, and

Bruce
retreats
to Cole-
raine.

from better sources it would appear that the feudal host had not yet assembled.

¹ Sliabh Breh: Ann. Loch Cé, vol. i, p. 564. The name was applied to the chain of hills extending from Clogher Head, Co. Lough, to Rathkenny, Co. Meath: Four Masters, vol. vi, p. 1922, note.

they broke down the bridge' over the Bann 'before (or against) the earl'.¹ The earl followed him and encamped at Coleraine, and for some time the two armies were unable to encounter each other, separated as they were by the deep river, and each employed itself in ravaging its own neighbourhood.

So much is clear from the Annals of Loch Cé. But those who would fain track out the precise movements of Bruce and understand the strategy by which for upwards of three years he succeeded in baffling his opponents, will inquire further into this movement, its meaning, and its direction. Did Bruce simply run away from the earl,² and did the earl, who certainly had a superiority in horse, pursue Bruce all the way from the plains of Louth to Coleraine without overtaking him? What was the line of Bruce's retreat? Was it east or west of Lough Neagh and the Bann? And did the earl follow in Bruce's footsteps? Let us see if the Scottish account throws any light on these obscure points.

Now 'The Bruce' was written sixty years after the event, and the story of the Irish campaigns as told therein by Archdeacon Barbour is vague, incomplete, and in some respects demonstrably incorrect. His chronology is at fault. He omits the winter campaign of 1315-16. He exaggerates Bruce's victories. He misnames the English

Historical
value of
Barbour's
'Bruce'.

¹ *Re haghaid in Iarla*: Ann. Loch Cé, vol. i, p. 566. The expression does not imply the presence of the earl at the moment.

² This seems to be the view taken in Vita Ed. II auctore Malmesberiensis, Chronicles Ed. I and Ed. II (Stubbs), vol. ii, p. 211 'In primo congressu fugati sunt Scoti ad montana quasi greges ovium dispersi per pascua.' Then follows a description of the pastoral state of the Hibernienses sylvestres', leading up to the opinion, 'si comes de Hulvestre fuerit fidelis non est enim timendum ab eorum insidiis'.

leaders, and his estimates of their forces are simply ridiculous. The historical value of his narrative is therefore slight. But he relates a number of incidents, which he certainly did not invent, and which may quite probably have occurred; he tells of some of the stratagems employed by Bruce, helps us to picture the character of the fighting, and occasionally throws some light on what our better sources have left obscure.

Barbour's
account
corrected.

Several of the above points are illustrated in Barbour's account of this movement to Coleraine.¹ According to it, a few days after the taking of Dundalk, Bruce and his men were in a great forest called Kilros, which may be identified with part of the district west and north of Inishkeen.² Here they are attacked by 'Richard of Clare, that wes the Kyngis luf-tenand', with 50,000 men. In this passage and elsewhere 'Richard of Clare' is simply a blunder, often repeated, for Richard de Burgh, who, however, was not at this time the king's lieutenant.³ We are given a picture of the fight:

The Scottis all on fut war then,
And thai on stedis trappit weil,
Sum helyt⁴ all in irne and steill.
Bot Scottis men, at thair metyng,
With speris perssit thar armyng,
And stekit hors and men doune bar
Ane felloun fechting wes than thair.

¹ The Bruce, xiv. 239-382.

² Kilros, *coill rois*, 'the forest of Ros', was presumably in the territory of Ros, somewhere in the barony of Farney, Co. Monaghan. Its precise limits are unknown, but the name seems to survive in Magheross (*machaire rois*), the parish in which Carriknacross (*Curraig machaire rois*) is situated, and perhaps in Ballyrush, a little north of Inishkeen.

³ Edmund Butler was justiciar from January 4, 1315, to November 23, 1316.

⁴ 'covered'.

This was the skirmishing between William de Burgh and the Scots near Inishkeen to which we have referred. It was a cavalry reconnaissance, in some force perhaps, but Barbour speaks of it as a battle between the two hosts in which the English were rudely routed. Bruce, however, does not allow his men to pursue the foe, but retires into the forest, and we hear no more about 'Richard of Clare' at this time, except that he was preparing for another attack. Obviously there had been no decisive battle.

Then Bruce goes to meet Odymsey,

Ane Erische kyng that ayth had mayd
Till Schir Edwarde of fewte.

The
Odymsey
Episode
mis-
placed.

But Odymsey turns out to be a 'fals tratour'. He leads the Scots across a great river, makes them encamp in a low-lying place, and then, under pretext of going to get them food, opens a dam which he had previously made and lets out the waters so as to flood the camp, and the men are nearly drowned. Now Odymsey is a name unknown in Ulster, but it was the name of the well-known chief of Clanmalier in the Irish Offaly, and this incident, which is told with much humour, is clearly misplaced. It belongs in all probability to the winter campaign of 1315-16, when, as we shall see, Edward Bruce passed through O'Dempsey's country. This is the simple explanation of a topographical difficulty which has misled commentators.

Barbour next tells us that the Scots were between two impassable rivers. One of these he names :

The Bane, that is ane arme of se,
That with hors may nocht passit be,
Wes betuix thame and Ullister.

Ulster at this time was the district east of the Bann, Lough Neagh, and the Newry River, so it is evident that Bruce was to the west of the Bann near its mouth. Moreover, Barbour next tells us how Thomas of Dun, 'a scummar of the se' (i.e. a pirate, whom we shall meet with again), sailed up the Bann with four ships and carried them over to the earl's dominions. This must have been below Es Craibhe, or the Cutts of Coleraine. The other river mentioned, but not named, by Barbour was, I think, the Foyle, including its great estuary. Thus Bruce's destination in his northern march, as indicated by Barbour, agrees precisely with that recorded in the *Annals of Loch Cé*, viz. 'Coleraine and the borders of Inishowen', i.e. Lough Foyle. In this region there were many English settlements west of the Bann near Coleraine, and the earl, as we have seen, had an important manor at Roo close to Limavady. These were the places Bruce now ravaged. It was probably at this time, too, that siege was laid to the earl's castle of Northburgh in Inishowen. It held out, however, until the next year.

Now this strategic retreat northwards (for such it clearly was) was of O'Neill's devising, and he would certainly have brought Bruce through friendly Irish territories, viz. O'Hanlon's country in County Armagh, and O'Neill's own territory in County Tyrone, i.e. as nearly as possible due north from Inishkeen. He may have hoped to entice the earl to follow them through these Irish districts. But in any case the earl was too prudent to fall into this trap. He no doubt went by Newry through his own dominions east of Lough Neagh, to Coleraine, where he was checked by the broken bridge over the Bann. This, I think, is the explanation of the fact that in no account,

Irish, Scottish, or English, is there any sign of contact between the two armies until they were face to face on opposite sides of the Bann about Coleraine. Here for some time the opposing forces continued in sight of one another, but without effective conflict.

Bruce now utilized the opportunity to exercise his diplomacy. He sent secret messages to King Felim offering him undivided power over Connaught if he would steal away from the earl to defend his own province.¹ With this seductive arrangement Felim appears to have been only too ready to fall in, but unfortunately for him the earl, his partner, as it were, in the lordship of Connaught, was not his sole, nor indeed at the moment his most formidable, rival. Rory, son of Cathal Roe O'Connor, representative of the line of 'Murtough of Munster', brother of Cathal Crovderg, saw in the absence of Felim an opportunity of asserting his own claims to the province. He went through Tirconnell to Coleraine to enlist the support of Edward Bruce, and Bruce is said to have given him a free hand to expel the English from Connaught provided he did 'not commit spoliation on Felim or go into his land'. This, however, was not what Rory did. He had no intention of fighting the English merely for Felim's benefit. He went right into Felim's territory, claimed sovereignty over Molrony Mac Dermot (who, however, gave neither pledge nor hostage), took the hostages of the Sil Murray, and had himself inaugurated king at Carnfree in Felim's room.² When Felim heard

Intrigue
with
Felim.

Also with
Felim's
rival.

¹ Ann. Loch Cé, vol. i, p. 567.

² Ibid., p. 569. The burning of the English towns and castles in Connaught, mentioned in this passage, seems to have taken place a little later, after the news arrived of the earl's defeat at Connor: Laud MS., p. 346.

that Rory was returning to Connaught to contest the sovereignty for himself, he besought the earl to return with him to defend Connaught, but the earl had pledged his word to deal with Bruce and was not to be turned from his purpose. Felim thereupon left the earl and endeavoured to lead his host back to Connaught. He had to fight his way through Eastern Ulster and Uriel, where no doubt he was regarded as a deserter, and it was with reduced forces and exhausted strength that he reached the abode of his uncle, O'Farrell, in Annaly (County Longford). Here, feeling himself no match for Rory, he released his *urrighs* from their allegiance and permitted them to submit to Rory rather than be wanderers with him. 'But if I am again powerful', he said, 'you shall be with me.'¹

When Earl Richard found himself deserted by Felim and the Irish of Connaught he retired towards Connor, which was the base of his supplies. About the same time Bruce crossed the Bann unperceived,² presumably with the assistance of the 'scummar of the se', as before mentioned. Here Barbour tells how the Earl of Moray captured a provision-train on its way from Connor to the English camp, some ten miles off. Moray then bethought him of 'a juperdy' or daring adventure. Having arrayed his men in the prisoners' garb, and keeping the English

¹ Ann. Loch Cé, vol. i, 569. Shane O'Farrell, Felim's mother's brother, lived at *Coill na n-amus*, 'the wood of the mercenaries', now Kilnaneawse near Edgeworthstown: Four Masters, vol. iii, p. 529, note.

² 'Nane of the land wist quhar thai lay': The Bruce, xiv. 386. 'Quod percipiens (the earl's retirement) Brus *caute* dictam aquam (de Banne) transivit sequens eum': Laud MS., p. 346.

pennons flying, he advanced in the dusk towards the English camp. A number of the English, suspecting nothing, came out to meet the supposed victuallers, when

The Erll and all that with him war,
Ruschit on thame with wapnys bar,

and the fields were strewn with the slain.¹

Earl Richard now hastily retreats to Connor and sends throughout the country to summon those of his men who were absent. Moray learns all the enemy's plans from a scouting party which he has captured, and that same night comes within half a mile of Connor, before his foes are fully assembled.² Next morning, September 10, the armies meet for the first time in a regular battle. Some English scouts are chased back into the town, and the English host issues forth in battle array. Once more the ever-resourceful Scottish leaders employ a ruse. Leaving their camp and baggage-gear just as usual with banners flying over it, the Scots take up positions on either side out of sight, and when the English horse charge into the deserted camp, the Scots fall upon their flanks and take them at a disadvantage, encumbered as they were in the midst of the baggage.³

Battle of
Connor,
Septem-
ber 10,
1315.

After a stubborn fight, graphically described by Barbour, the English were completely routed, and the Scots entered the town of Connor. The earl's cousin, Sir William de Burgh, and two of the Mayo Stauntons were taken prisoners. On the other side Sir John Stewart was wounded through the body with a spear-thrust. Some of the English fled to Carrickfergus, but the earl returned

¹ The Bruce, xiv. 388-446.

² Ibid., 447-98.

³ Ibid., xv. 1-40.

to Connaught, where, as we have seen, Rory, son of Cathal Roe, was carrying all before him.¹

Thus ended the first attempt to defeat Edward Bruce. Its failure resulted in the first instance from the earl's over-confidence in his own resources and unmerited trust in the fidelity of his Irish troops, but credit must also be given to the prudent strategy of O'Neill, the resourceful tactics of the Scottish commanders, and the stubborn valour of the Scottish troops. The earl's defeat was the signal for the rising of the Irish of Connaught and Meath. Rory, son of Cathal Roe, burned the castles of Kilcolman, Ballintober, and Dunamon, and plundered the towns of Sligo, Ballymote, Roscommon, Randown, and Athlone. Moreover, the earl's retreat left the whole of Ulster at the mercy of Edward Bruce, and it is clear that not only did the Irish in Ulster generally now throw in their lot with Bruce, but some of the English had no alternative but to make terms for their lives with the successful invader. Carrickfergus Castle, however, held out, and Bruce, having sent the Earl of Moray with the prisoners and four ship-loads of spoil to Scotland to seek reinforcements, laid siege to the castle 'full stalwardly'. It proved, however, a tough nut to crack and held out for more than a year.

Winter
cam-
paign,
1315-16.

On November 13, Bruce, with the main body of his troops, left Carrickfergus, and having been

¹ The Bruce, xv. 41-97. Ann. Loch Cé, vol. i, p. 571. Laud MS., p. 346, where Roger de Sancto Bosco (Holywood, Co. Down) is also mentioned as having been killed at Connor. Barbour says that besides 'Richard of Clar' (i. e. Richard de Burgh), 'the Butler with the Erllis twa of Desmond and Kildar war tha'; but (apart from the fact that there were then no such earls) he is certainly wrong.

joined by the Earl of Moray and a fresh band of 500 men, marched to the region about Dundalk, and thence to Nobber in Meath. Here (November 30) he left a garrison to secure his retreat, if necessary, and advanced on Kells,¹ where Roger de Mortimer of Wigmore, lord of East Meath in right of his wife, had assembled a large, but untrustworthy, force to oppose him. The engagement was soon over. The de Lacys in particular are said to have early fled from the field. Mortimer, who was not wanting in courage, was left alone with a few and had to fly to Dublin, while Walter Cusack² retired to Trim to hold the castle there.

Battle of
Kells.

Bruce now burned Kells, and, while making no attempt to take the strong castle of Trim, advanced through Westmeath as far as Granard in County Longford. This place, where the Tufts had a manor, Bruce burned, and he plundered the neighbouring monastery of Larha, and burned the English town of Finnea³ on the boundary between Westmeath and Cavan, and going south-west through the English settlements in Annaly or

¹ The Laud MS. Annals embodies two conflicting accounts as to the order of the battles of Kells and Ardsclull, but there can be no doubt that Mortimer's defeat at Kells took place before Bruce advanced into Kildare. Not only is this order alone consistent with topographical considerations, but a letter from Sir John de Hotham to the king, written immediately after the battle of Ardsclull (Jan. 26), states that the preparations for that battle were made after Mortimer had left Ireland: Cal. Docs. Scotland, vol. iii, no. 469.

² Walter Cusack was father of John Cusack, who was rewarded for his services at the final battle of Dundalk: *ibid.*, nos. 640-1.

³ 'Fynnagh': Laud MS. (as above), p. 347. The Irish name is given in *Four Masters*, vol. iii, p. 544 (1330), as *Fíodh-an-atha*, 'the wood of the Ford'.

County Longford he burned Newcastle¹ in Shrulë, and reached Ballymore Loughsewdy, the *caput* of the de Verdun moiety of Meath, where he kept Christmas. He made no long stay, however. He had to feed his army, and soon after Christmas, having burned the place,² he set out to seek new farms to plunder in Leinster.

Now it was that the de Lacys parleyed with Bruce, and, according to their own account,³ confirmed by the jury before whom they were arraigned, craftily led him through Irish territories (presumably Mageoghegan's country and the Irish Offaly), where he spent fourteen days and lost a great number of men and horses in approaching Leinster, when he might have marched through the English districts of Meath in a couple of days. Thus they accounted for the fact that Rathwire and other de Lacy manors were not injured by the Scots. By this route Bruce reached the Bermingham district of Tethmoy⁴ and the Fitz Gerald lands of Rathangan and Kildare, where, however, the

¹ Geoffrey O'Farrell had levelled this castle, called *caislen* in *Baile-nua*, in 1295: Ann. Ulst.

² The manors of La Roche (Co. Louth) and Loughsewdy 'were so burned and destroyed by the Scotch and Irish that (in 1316-17) no profit could be received from them': Pipe Roll (Ireland), 12 Ed. II, 42nd Rep. D. K., p. 24.

³ See Plea Roll, 10 Ed. II (Jan. 31, 1317), printed in Chart. St. Mary's Abbey, vol. ii, pp. 407-9. The de Lacys and their following were then pardoned suit of peace for a fine of £200. The finding of the jury, it may be noted, confirms the order here given of Bruce's battles.

⁴ To reach Tethmoy by this route Bruce must have passed through O'Dempsey's country or Clanmalier, and to this time should probably be ascribed the treacherous action of that chieftain mentioned by Barbour as occurring during the retreat to Coleraine in the previous summer: see *supra*, p. 167. O'Dempsey was habitually loyal to the English: see *supra*, p. 36.

castle successfully withstood a three days' assault.¹ Thence he went as far south as Castledermot, and returned by Athy and Reban, burning and destroying everything in his course, but not without some loss of men.²

On January 26, 1316, Bruce was at Skerries near the mote of Ards-cull,³ about three miles north-east of Athy. Here a formidable force opposed him under Edmund Butler the justiciar, John Fitz Thomas, baron of Offaly, and Arnold Power, seneschal of the liberty of Kilkenny. Any one of these lords, says the annalist, would have sufficed to conquer Edward Bruce, but unfortunately discord arose among them and, breaking up in confusion, they left the field to their foes.⁴ There were some losses on both sides, but it is clear that there was no stubborn fighting. Of the English, Hamon le Gras and William de Prendergast were slain, and of the Scots, Fergus of Ardrossan, Walter of Moray, and others. John of Hotham, who had been commissioned by the king in the previous September to make arrangements for the expulsion of the Scots,⁵ sent a report of this affair to the king, in which, after describing the strong force collected, he says: 'but by bad luck the enemy kept the field, losing, however, some of their good people,

The fiasco
of Ards-
cull,
January
26, 1316.

¹ Rot. Parl. Angl., 14 Ed. II, quoted in Viceroy (Gilbert), p. 529, and see Cal. Pat. Rolls, 9 Ed. II, p. 457.

² Laud MS. Annals (as above), p. 347.

³ 'Skethyr iuxta Arscoll' (ibid.). Adam Bretoun, seneschal of Carlow, was allowed £20 for the loss of a horse in a deed of arms against the Scots in the district of 'Sketheres': Pipe Roll (Ireland), 10 Ed. II, 39th Rep. D. K., p. 73.

⁴ Laud MS. Annals (as above), p. 347. Clyn says that only five of the English were slain, but of the Scots about seventy.

⁵ Cal. Pat. Rolls, 9 Ed. II, p. 347.

while the king's forces lost only one, thanks to God'¹—thus discreetly distributing praise and blame so as to offend nobody, while, after the manner of bulletins, concealing the facts and minimizing the defeat.

Military inferiority of the English.

This was the third army defeated or dispersed by Edward Bruce within nine months of his arrival in Ireland. Bruce's men were veterans whose lives had been spent in fighting against England, and who had just come through a victorious war, and they were led by skilful and experienced commanders. Edward Bruce himself and the Earl of Moray had each headed a division at Bannockburn. The English of the eastern half of Ireland, on the other hand, had little or no experience of serious warfare. For three generations they had lived at peace, interrupted only by an occasional summons to punish or repress some petty raid or rising of the Irish on the border. The mass of the English host were mere country-folk—'a gadering of the cuntre' as Bruce disparagingly called them—not trained soldiers. By the Scottish veterans they were quite outclassed. Had the great lords acted together and been loyally supported by their vassals they might, no doubt, by sheer force of numbers, have surrounded and overcome Bruce's Scottish bands, but for several generations they had not felt the need of co-operation. There was no outside pressure, no common danger to make them forego their rivalries and jealousies, or if there really was such they were blind to it. The old feud between the de Burghs and the Fitz Gerald's had indeed been quieted by intermarriages

¹ Cal. Docs. Scotland (Bain), vol. iii, no. 469. Hotham gives the date, 'Monday before Chandelour', i. e. Jan. 26, 1316, thus confirming the accuracy of the Laud MS., p. 345.

and re-arrangement of spheres of interest, but it is clear that the Red Earl was still regarded with jealousy by some of the Irish magnates, and that his Ulstermen were viewed with distrust and dislike by the inhabitants of Dublin and the neighbourhood. John Fitz Thomas had given one of his daughters in marriage to Edmund Butler, but there are signs that the jealousy between the Butlers and the Le Poers and the southern Geraldines, which afterwards broke out in violence, had already begun to work, while there was a chronic antagonism between the resident Anglo-Irish lords and the Dublin officials, who for the most part were new-comers appointed in the interests of the Crown. At this moment, however, after the fiasco at Ardsclull the great lords of Leinster and Munster felt the necessity of standing together, and on February 4 they put their seals to a solemn declaration undertaking to defend the king's right against all men, and to do their best to destroy his enemies the Scots.¹

But though Bruce was able to ravage the country and disperse his opponents, he was clearly much weakened by this winter campaign. Apart from the ravages of war, there was a severe famine in the years 1315-16, which was not confined to Ireland.² Owing to excessive rains

Famine
forces a
retreat.

¹ Rymer's *Foedera*, vol. ii, pt. 1, p. 283 (ed. 1818). This document, written in French on February 4, 1316, and sent to the king, was sealed by John Fitz Thomas, lord of Offaly, Richard de Clare, Maurice Fitz Thomas (afterwards Earl of Desmond), Thomas, son of John Fitz Thomas, John le Poer, Baron of Dunoyl, Arnold le Poer, Maurice de Rochford, and David and Miles de la Roche. All the above, with the exception of Richard de Clare, were present at the affair of Ardsclull.

² See Walsingham's *Historia Anglicana*, vol. i, pp. 144-5, and Roger's *Six Centuries of Work and Wages*, pp. 215-17.

the corn in many parts never ripened, and dearth, famine, and pestilence followed. Having burned the castle of Lea, the Scots on February 14 were preparing to attack the castle of Geashill, while the English were assembling not far off in the neighbourhood of Kildare. But the Scots were perishing of hunger, and did not await the approach of the enemy. They suddenly retreated northwards to Fore in Westmeath, where more of them died of hunger and exhaustion, and it was a weakened remnant that Bruce led back to Ulster near the end of February.¹

The Earl of Moray was now once more sent to Scotland for reinforcements, while Edward Bruce is said to have held pleas in Ulster. This has been regarded as an indication of orderly government, but his decrees seem to have merely taken the form of hanging those who had opposed him. About mid-Lent (March 21) he seems to have paid a short visit to Scotland, bringing Alan Fitz Warin with him as a prisoner. Carrickfergus Castle still held out, and on Thursday in Holy Week (April 8) Thomas de Mandeville relieved the castle by sea from Drogheda and gained some successes against the besiegers, but was slain shortly afterwards.² About May 1 Edward Bruce

In Ireland in Mid-Lent 1316 wheat was sold for 18s. the crannock, and at Easter for 11s.: Laud MS. Annals, p. 350. In ordinary years the price varied from 5s. to 6s. 8d. Nevertheless, in May 1316 Earl Thomas of Lancaster bought wheat and oats at Drogheda and Dalkey for victualling Lancaster Castle: Historical and Municipal Docs. Ireland (Gilbert), pp. 388-91.

¹ Laud MS. Annals (as above), p. 349.

² Ibid., p. 350. This incident is also told with further details in 'The Bruce', xv. 101 et seq., where it is said to have taken place during a truce, and is mentioned immediately after the battle of Connor. Barbour in fact omits all mention of Bruce's campaign in the winter of 1315-16.

is said to have caused himself to be crowned king of Ireland at (or near) Dundalk, perhaps on the hill of Faughart where he afterwards met his doom,¹ but we have no trustworthy details. As the Chronicle of Lanercost sarcastically says, 'he reigned (in Ireland) as many kinglets reign there'. About the same time he took Greencastle opposite Carlingford, but this was soon recovered by the men of Dublin and garrisoned for the king. At some time in this year he also took the earl's castle of Northburgh in Inishowen.²

Edward
Bruce
crowned.

But though Bruce did not venture out of Ulster again this year, the success of his winter raid encouraged the Irish of Leinster to rise sporadically. The O'Byrnes and the O'Tooles plundered the coast towns in Wicklow, the Irish of Imaile attacked Tullow, the O'Mores devastated part of Leix, and the O'Hanlons ravaged the country near Dundalk. But there was no concert among the different insurgent clans. Each people simply took the opportunity of the general disorganization to plunder their nearest English neighbours, and each was separately punished.³

One trivial though daring attempt on Dublin itself is worth noting, as perhaps it was the origin of the curious celebration of Black Monday described by Hanmer as taking place in his time, though, as already remarked, he seems to have

Possible
origin of
'Black
Monday'.

¹ This was the Irish tradition preserved in a late tract, *Cath Fhochairte Brighite*, published in Louth Archaeological Journal, vol. i, p. 86. For the date see Laud MS., p. 345.

² Laud MS. Annals (as above), p. 349. In October 1315 the king's victuallers were ordered to supply forty crannocks of wheat for Northburgh Castle and thirty crannocks for Carrickfergus: Hist. and Mun. Docs. Ireland (Gilbert), p. 335; but the supplies were diverted to Whitehaven and Skinburness: *ibid.*, p. 341.

³ Laud MS. Annals.

altogether antedated its origin in ascribing it to the year 1209.¹ An entry in the Laud MS. Annals mentions that on Monday before the feast of the Nativity of the Virgin (September 6, 1316), David O'Toole and twenty-four men hid themselves all night in Cullenswood (in the southern suburbs of Dublin), and in the morning advanced on Dublin, when Sir William Comyn with the citizens issued forth and put them to flight, killing seventeen of them and mortally wounding others.² The identity of the day of the week (though not of the month), the attacking party, and the precise place from which the attack was made, seem to indicate an identical occurrence. Sir William Comyn had been recently appointed 'captain of a guard for defending Dublin from the malice of the Irish of the mountains of Leinster'.³

State of
Con-
naught,
1315.

While these events were happening in the east of Ireland, Connaught was thrown into a state of sheer anarchy. To the earl on his return flocked harried English settlers and dispossessed Irish chieftains in the hope that he would relieve them from oppression, but he was apparently powerless to restore order. The great earl is described as being 'without sway or power throughout Erin this year'. The chief combatants among the O'Conors were Rory, son of Cathal Roe O'Connor, the newly-proclaimed king, representative of Clan Murtough, Felim, the dispossessed king, repre-

¹ Hanmer's Chronicle, p. 186 (1633 ed.), and see *ante*, vol. ii, p. 242, where, if I am now right, I should have said that 'tradition (as Hanmer) had antedated the occurrence by more than a century'. People do not celebrate their defeats in the way described by Hanmer.

² Chart. St. Mary's Abbey, vol. ii, p. 351; cf. *ibid.*, p. 297.

³ Historical and Municipal Documents, Ireland (Gilbert), p. 381.

sentative of the line of Cathal Croiderg, and the sons of Donnell O'Connor of Clan Andrias now coming into prominence. Then there were rival Mac Dermots in Moylurg and rival O'Kellys in Omany. O'Donnell too, after the manner of neutrals, joined in to secure a share of the spoil and levelled the castle of Sligo, recently rebuilt by the earl, and plundered Drumcliff and its churches. The whole province was convulsed, and to add to the misery there were 'numerous wonderful diseases throughout Erin this year and a destruction of people in great numbers in it, and famine and various distempers and slayings of people and—a curious anti-climax—intolerable, destructive, bad weather also in it'.¹

At last, in February 1316, Felim O'Connor assembled a great army of English and Irish, including 'Mac Feorais' (Sir Richard de Bermingham of Athenry) and Mulroney Mac Dermot and the sons of Donnell O'Connor. A pitched battle was fought near Ballymoe, and 'the superior numbers of the hands and weapons together with the mail armour of the English', vanquished King Rory, son of Cathal Roe, who was slain, and Felim regained his kingdom.² But though he owed the recovery of his crown to English aid, Felim, intoxicated with the vision of undivided sovereignty held out to him by Edward Bruce, soon afterwards turned against his allies and proceeded to expel the English of the west of Connaught. He first forced the Irish on the borders

Felim re-
gains his
throne,
February
1316.

¹ Ann. Loch Cé, vol. i, p. 579.

² Ibid., p. 581. The battle was fought at *Tóchar móna Coinnedha*, 'the causeway of Coinnigh's bog', from which the parish of Templetoher, between Dunmore and Ballymoe, takes its name; and the date, according to the Annals of Ulster, was February 23, 1316.

of the Sil Murray (who were friendly to the English) to give hostages, then burned Ballylahan and killed its lord, Stephen of Exeter, with other English knights, and plundered all the country from Ballymote to Ballinrobe, and demolished the castle of Meelick on the Shannon.¹

By this time, about the end of July, Sir William de Burgh, released from Scotland,² had arrived in Connaught and had joined Richard de Bermingham at Athenry. Felim now made a great muster of Connaught men to expel William de Burgh, and obtained assistance from the Irish chiefs of Thomond, Meath, Breffny, and Conmaicene. A pitched battle was fought at Athenry on August 10, 1316,³ when the Irish were totally defeated and Felim and a host of his supporters killed. To judge by the long list of eminent Irishmen slain, this must have been the bloodiest battle fought in Ireland for many a long day. It had a permanent effect in weakening the O'Conors of Connaught, and it was their last effort to expel the English from the province.

Battle of
Athenry,
August
10, 1316.

¹ Ann. Loch Cé, 1316. Stephen of Exeter was also lord of Athmethan (Affane), Co. Waterford: 42nd Rep. D. K., pp. 23, 24. Mac Firbis places him as son of Jordan Óg, and grandson of the Jordan who formed the manor of Ballylahan (*ante*, vol. iii, pp. 197-8); but the descent is not clear: consult Knox, *History of Mayo*, pp. 306-10. Miles de Cogan (son and heir of John de Cogan III), William de Prendergast, John de Staunton, and William Lawless were also slain. News of Felim's action reached Dublin on July 20: Laud MS. Annals (as above), p. 296.

² Laud MS. Annals, u. s., p. 352. He left his son (Edmond Albanach?) in his stead.

³ 'On the day of St. Laurence the Martyr': Ann. Loch Cé. The Laud MS. Annals say, 'in the week following the Feast of St. Laurence', calculated probably from the time when the news reached Dublin. Wherever we can test them the precise dates so often given about this time in the Laud MS. seem remarkably accurate.

A contemporary Irish writer, referring to Owen O'Madden, chieftain of Sil Anmchadha, who sided with the English, utters a noteworthy opinion (which must have been held by many far-seeing Irishmen) with regard to Bruce's invasion and the attitude of other Connaught chieftains:—'In his time foreigners less noble than our own foreigners arrived; for the old chieftains of Erin prospered under those princely English lords, who were our chief rulers, and who had given up their foreignness for a pure mind, their surliness for good manners, their stubbornness for sweet mildness, and their perverseness for hospitality. Wherefore it was unjust in our nobility to side with foreigners who were less noble than these, in imitation of the Eoghanachs [i. e. the O'Neills of Ulster] who first dealt treacherously by their own lords on this occasion, so that at this juncture Erin became one trembling surface of commotion, with the single exception of the territory of Eoghan O'Madden, who took care not to violate his truth by acting treacherously towards his lord without strong reason.'¹

Meanwhile the heroic defenders of Carrickfergus held out. So reduced were they for want of food that they are said to have chewed skins and even eaten the bodies of some of their prisoners. At last, after a year's siege, in September 1316, they surrendered on terms of safety to life and limb.²

Fall of
Carrick-
fergus.

¹ Hy Many, p. 136. O'Donovan's rendering. On June 14, 1320, Owen O'Madden, two of his brothers, and a nephew, and their heirs, at the instance of the Earl of Ulster, were granted the use of English laws: Irish Pat. Roll, 13 Ed. II (93).

² Laud MS. Annals, p. 297. By a 'slim trick' on June 24 they had seized and imprisoned thirty Scots sent according to agreement to receive their submission, p. 350

Since the failure of the great lords in the early months of the year no combined action had been taken against Bruce. The local magnates had all they could do to defend their own lands from the attacks of the Irish. No help was obtained from the Crown, which did nothing beyond sending an embassy to Rome to seek spiritual aid against the Scottish enemy.¹ The weak and humiliated king and his cousin, the incompetent self-seeking Earl Thomas of Lancaster, were more concerned in thwarting each other than in upholding the honour of England in Northumbria, in S. Wales, or in Ireland. Some efforts were indeed made by the local lords whom Bruce had dispossessed in Ulster. About the end of October, John Logan and Hugh Byset² obtained an advantage over the Scots in Ulster and slew three hundred men-at-arms; and on December 5 Alan Stewart, who was taken prisoner by John Logan and John Sandale, was brought to Dublin Castle. But by the close of the year³ Robert Bruce with many 'galloglasses' had joined his brother at Carrickfergus, and a new and more formidable campaign was in prospect.

Robert
Bruce
arrives,
December
1316.

About February 13, 1317,⁴ the two brothers, at

¹ Papal Letters, vol. ii, pp. 127-32.

² It was seemingly after this that Hugh Byset adhered to the Scots.

³ *Circa Natale Domini*: Clyn. This approximate date for the arrival of Robert Bruce may be accepted. The Irish annals place it among the first entries of 1317. An undated entry in the Laud MS. (p. 352) would seem to place it before the surrender of Carrickfergus, but the entry records a mere rumour. According to Barbour (xvi. 38-48), who is utterly vague, Carrickfergus was in the hands of Edward Bruce when his brother arrived (cf. *ibid.*, xv. 259).

⁴ *Circa festum Carnipriuii* (i. e. February 13, 1317), Laud MS. Annals. There can be no doubt about the date yet Barbour

the head of an army refreshed and strengthened, and supported by a large body of the Northern Irish, arrived without warning at Slane in Meath¹ and threatened Dublin. An event now occurred which has never been satisfactorily explained, and, indeed, is rather puzzling. On the 21st Robert of Nottingham, Mayor of Dublin, forcibly seized the Earl of Ulster and some of his relatives who were then in St. Mary's Abbey and imprisoned them in Dublin Castle. It is clear that the citizens suspected the earl of complicity with Bruce, but the grounds of their suspicion are obscure, and it may be doubted whether they were well founded. The entry in the annals, in which the Dublin view is given, seems to say that the Scots reached Slane without being perceived, though the army of Ulster was in their presence, and that they ravaged the whole country before their eyes,² the implication apparently being that the army of the Earl of Ulster had not done its duty in opposing the Scots. A different light is thrown on this event by the narrative in 'The Bruce'. Barbour there states at great length (what is not mentioned elsewhere) that Richard de Clare [i. e. Richard de Burgh, Earl of Ulster] had assembled 40,000 men [no doubt a reckless exaggeration] to oppose the Scots on this occasion. Not daring to meet them

The
Bruces
threaten
Dublin,
February
1317.

The earl
im-
prisoned
by the
citizens.

Barbour's
account
of the
affair at
Slane.

(xvi. 63) says that the two brothers advanced 'in the moneth of May, Quhen byrdis singis on the spray', &c.

¹ It is noteworthy that the Bruces made no attempt on the walled town of Drogheda:

Thai raid evin forrouth Drouchyndra,
And forrouth Devilling syne alsua.

The Bruce, xvi. 261-2.

² Laud MS. Annals (as above), p. 298. The words are: 'Circa festum Carniprivii venerunt Scoti occulte usque Slane cum viginti millibus armatis, et exercitus Ultonie coram illis, et depredaverunt ante ipsos totam patriam.'

in the open, however, he laid an ambushade for them on the line of march. He allowed Edward Bruce and the vanguard to pass, but attacked the rearguard under King Robert, with the result that a hard battle—according to Barbour, the hardest fighting of all the war—ensued. At last the earl had to give way and fled to Dublin.¹ It is clear that the earl's forces, consisting mainly of his Gaelic levies, were dispersed, and it is possible that some of them deserted to Bruce and gave him their allegiance.²

Distrust
of the
Ulster
men.

There are many other allusions in the Laud MS. to the 'Ultonienses', and all show the distrust and dislike with which the men of Dublin regarded them. Their natural lord was now in prison, and those who did not join Bruce were outcasts, dispossessed of their homes and deprived of their leader. In March 2,000 of them at their own request were enrolled under the banner of the king, but, we are told, 'they did more harm than the Scots, and ate meat throughout Lent, and ravaged the country, for which they deserved the malediction of God and man'.³ They were afterwards, as we shall see, placed under the leadership of the young Earl of Kildare, but the famine of 1317 was even worse than that of the previous year, and we read of 'the marvellous vengeance' that befell the Ulstermen early in 1318 for the damage they had done in Ireland and for eating meat in Lent; for 'they were reduced to eating one another, so that out of 10,000 there remained only about 300 who escaped

¹ The Bruce, xvi. 74-213.

² John, son of Nicholas of Slane, forfeited his lands for adherence to the Scots: Cal. Pat. Roll (Ireland), 13 Ed. II (86).

³ Laud MS. Annals (as above), p. 300.

the vengeance of God'. They even exhumed the dead and cooked the flesh in the skulls and ate it, and their women devoured their own children from hunger.¹ It may be that with some of them, as in the case of Dante's Count Ugolino, 'fasting got the mastery of grief', but the malign exaggeration of this gruesome tale, if indeed it had any foundation, is manifest. Bad as the famine was, it did not cause a dearth of pots!

Of possible grounds of suspicion against the earl himself, we may note that his daughter Elizabeth was the wife of Robert Bruce. Taken prisoner by the English in 1306, she had been restored to her husband in an exchange of prisoners after Bannockburn and was now the Scottish Queen. Moreover, in the previous July the earl had interfered with the sailing of some ships from Drogheda to re-victual Carrickfergus, but this action appears to have been part of a bargain for the release of his cousin Sir William de Burgh from captivity in Scotland.² No other facts are known which might be thought to throw doubt upon his loyalty. He had undoubtedly failed to overcome Edward Bruce in the first campaign, probably owing to the defection of Felim, and now he had failed to stay the course of the victorious brothers, probably owing to a similar defection; but other Anglo-Irish lords had equally failed against the Scots, and even the chivalry of England had been broken to pieces in the vain attempt to break the Scottish 'schiltroms' at Bannockburn. On the other hand, he had for years been fighting against the Scots, in their own country as well as in Ulster, and no one person in Ireland had lost more through the Scottish

No valid grounds for suspecting the Earl.

¹ Laud MS. Annals (as above), p. 357. ² Ibid., p. 296.

invasion than the lord of Ulster and Connaught or had stronger motives for repelling the invaders. The king had trusted him fully and had often thanked and rewarded him for his services,¹ and now sent mandates ordering an inquiry into the causes of his imprisonment, and even directing that he should be sent under safe-conduct to England.² Yet it was not until May 8 that, after much debating, he was at length liberated.³ On the whole it seems reasonable to conclude that the action of the citizens in imprisoning the earl was inspired by panic and was persevered in from fear of his vengeance. They had good grounds for distrusting his ability to protect them. They owed him no allegiance, they were jealous of feudal claims, and viewed with alarm the presence of the magnates in their city. But they had no real grounds for doubting his fidelity, and their precipitate action was not calculated to confirm the loyalty of his followers.

It is, indeed, certain that the citizens were thoroughly alarmed at the near approach of the Scots and took hurried measures for the protec-

¹ On August 21, 1309, Richard de Burgh had been appointed commissioner to treat for terms of peace with Robert Bruce, whose envoys were John de Menteith and Neil Campbell: *Cal. Pat. Rolls*, 3 Ed. II, p. 189. About the same time, for his good services, the yearly rent of 500 marks for his Connaught lands was remitted, and he was given the custody of the king's castles at Roscommon, Randown, and Athlone: *ibid.*, p. 182.

² *Cal. Close Roll*, 10 Ed. II (1317), pp. 404-5, transcribed *Hist. and Mun. Docs. Irel.* (Gilbert), pp. 397-401, also *Foedera*, ii. 326, 327. It appears from these mandates that Gilbert and Hubert de Burgh were also imprisoned. A Hubert, son of Gilbert de Burgh, was a juror on one of the inquisitions taken in 1333 after the murder of Earl William de Burgh.

³ *Laud MS. Annals*, p. 354.

tion of their city. The old north wall of the town, which still in part exists, and has recently been exposed to view by the removal of some old houses, ran on either side of the still existing St. Audoen's Gate and past a gate which then stood in Wine Tavern Street, parallel to, but some distance south of, the present river embankment. A strip of land had been reclaimed between this wall and the river,¹ and houses had been built thereon, including the Dominican Convent, thus weakening the defence in this direction and perhaps exposing the bridge-end. The citizens now pulled down the church of the Dominicans and with the stones built a wall along the quay,² and connected it at the west end with the old west wall near Gormon's Gate, thus enlarging the town towards the north and protecting the bridge-end. They also threw down the bell-tower of the church of St. Mary del Dam near the walls, and used the stones for the repair of the castle.³

Measures
to defend
Dublin.

On February 23 Bruce advanced towards Dublin, but stopped at Castleknock,⁴ where he

¹ I was informed by the foreman of the works that when removing a portion of this wall, east of School-House Lane, a layer of shells was found close up to the foundations on the side facing the river, thus indicating that at one period the river flowed by the wall.

² Laud MS. Annals, p. 353. Richard Stanihurst in his Description of Ireland (c. 1585) mistakenly supposes that it was the wall by St. Audoen's Gate and Wine Tavern Gate, which was built at this time; but, apart from the positive statement in our annals, there are clear references to these gates at an earlier period.

³ Historical and Municipal Docs. Irel., pp. 405-6. The church was pre-Norman: see vol. i, *ante*, p. 242.

⁴ Bruce is said to have arrested his march here on learning of the taking of the Earl of Ulster. This may have been the supposition of those who imprisoned the earl, but, if he

took Hugh Tyrrell and his wife prisoners, but released them on ransom. The same night the citizens of Dublin fired the western suburbs about St. Thomas's Street, to prevent the Scots obtaining shelter therein from which to assault the city. The fire extended further than was intended, and altogether four-fifths of the suburbs were destroyed.¹ When Bruce saw the desperate measures taken by the citizens and learned that the city was well fortified to resist assault, he turned aside to Leixlip, where he remained four days, burning and plundering.

The Scots
march
south.

At this period of the relative evolution of attack and defence, castles and walled towns, if adequately garrisoned and provided, were not easily taken by assault—unless indeed a surprise could be effected—and a long siege, such as had been found necessary at Carrickfergus, did not suit Bruce's plan of campaign. Rapid movement was essential to its success. His army had to be fed off the country, and he preferred to swoop down upon the rich demesnes and manorial centres of the great Anglo-Norman lords. Accordingly he marched southwards to Naas, the de Lacys, it is said, contrary to their recent oaths conducting him,²

could have taken Dublin, Bruce would not have left so important a place intact in his rear, and his ultimate change of objective is better explained, as is done later, by the measures taken for the defence of the city.

¹ For this burning of their suburbs the mayor and citizens were pardoned, July 20, 1318 (Cal. Pat. Rolls, 12 Ed. II, p. 192), and relieved of 100 marks a year for five years out of the farm due to the exchequer: *ibid.*, p. 204.

² Sir Hugh Canon, who had been sheriff of Kildare and was a justice of the king's bench, is said to have directed his brother-in-law, 'Wadin le Whyte', i.e. Walter le Blund (probably descended from the first Hugh de Lacy's widow: see *ante*, vol. ii, p. 111, note), to guide the Scots through the

and on to Castledermot, where he plundered the Franciscan monastery, and thence by Gowran to Callan, which he reached on March 12. Wherever the Scots went they plundered the rich monastic houses, and even burned or broke the churches, 'But to gif battale nane thai fand'.

At this time, however, Edmund Butler, the justiciar, Thomas Fitz John, the second Earl of Kildare, Richard de Clare, Arnold le Poer, John le Poer, Baron of Dunoyl, and Maurice Fitz Thomas of Desmond were at Kilkenny assembling their forces, but they did not dare to meet the Bruces in the open field, while the latter, on the other hand, as in the case of Dublin and Drogheda, made no attempt against the well-walled city on the Nore.

From Kells near Callan Bruce proceeded to Cashel and thence to Nenagh, where he stayed to burn and destroy the lands of the justiciar. The English magnates, adopting Fabian tactics, hung about his rear, but failed to stay his destroying hand. Then in the first week in April the Bruces were induced by Donough O'Brien, who had recently been expelled from Thomond, to march towards Limerick, no doubt with the object of destroying the lands of Richard de Clare and the other English settlers in Thomond, and in the expectation, perhaps, of a general rising of the Irish in the west, if not with the hope of taking Limerick itself. They got as far as Castleconnell on the Shannon, while the magnates, with whom was Murtough O'Brien, Donough's rival, advanced

The Scots
march to
near
Limerick.

country. Hugh Canon was killed next year by Andrew Bermingham, and Walter le Blund was outlawed along with the de Lacys. See Chart. St. Mary's Abbey, Dublin, vol. ii, pp. 299, 357, 411; and Cal. Pat. Roll (Ireland), 11 Ed. II, p. 23 b (119).

to Ludden near Cahirconlish about eight miles to the south.¹ The latter were now joined by 'the meat-eating cattle-raiding' band of Ulstermen who were placed under the Earl of Kildare, but though there was some skirmishing,² there seems to have been no fighting of any moment.

But now an abler and more ruthless commander than Edmund Butler was at hand. On April 7 Roger Mortimer of Wigmore, who had been appointed king's lieutenant with extensive powers, landed at Youghal with a fresh force and hastened towards the scene.³ He sent a dispatch to Edmund Butler to do nothing before his arrival. The toils were now gathering around the Scots. They were far from their base in Ulster. Two years of fighting and famine had beggared the

¹ Clyn's Annals, p. 13. This was *in Paschate*. Easter Sunday in 1317 fell on April 3 and Palm Sunday on March 27. Some of the marginal dates added by Gilbert to his transcript of the Laud MS. are wrong. Edmund Butler was allowed 200 marks (beyond his fee of £500) for wages and expenses in connexion with his expedition to 'Lodene' to encounter the Scottish and Irish felons: Pipe Roll (Ireland), 12 Ed. II, 42nd Rep. D. K., p. 12. He was at 'Lodyn' on April 10, 1317: Cal. Pat. Roll (Ireland), 11 Ed. II, p. 21 b (28-9).

² Adam Bretoun, seneschal of Carlow, was allowed £20 for good service . . . in fighting against the Scots in the district of Lodyn in the company of Thomas, son of John, Earl of Kildare: Pipe Roll (Ireland), 10 Ed. II, 39th Rep. D. K., p. 73.

³ On Jan. 4, 1317, John de Hastings and fourteen others were ordered to go to Ireland in person or send men-at-arms according to the extent of their lands in that country . . . to be at Haverford at the Purification next (Feb. 2) . . . the king having ordered Roger de Mortimer of Wigmore to proceed thence to Ireland to repel the invasion of Edward Bruce: Cal. Close Rolls, 10 Ed. II (1317), p. 451; Foedera, vol. ii, p. 309. Roger de Mortimer was appointed Keeper of Ireland on Nov. 23, 1316: Cal. Pat. Rolls, 10 Ed. II, p. 563; Foedera, vol. ii, pp. 301-2.

country, and it was becoming more and more difficult to feed the army. There was, moreover, no sign of any general rising of the Irish. The blow at Athenry had crushed Connaught, and the mangled remnants of the Gaelic clans were at variance among themselves. Even in Thomond Murtough O'Brien had for the moment thrown in his lot with Richard de Clare and the English, and his exiled rival Donough was powerless to provoke a rising.¹ When about the middle of April Bruce received intelligence of the advent of Mortimer, he slipped away in the night and retreated towards Kildare. Here Barbour tells the well-known story of how King Robert halted his army rather than leave behind a poor laundress who was overtaken by the pains of childbirth:

The Scots
retreat to
Ulster.

This was a full gret curtasy
That sic a king and swa mychty
Gert his men duell on this maner
Bot for a full pour laynder.

With that want of solidarity which marks all the operations of the English, the Munster forces now dispersed, and the Scots were followed as far as Naas by the Earl of Kildare and his Ulster band alone, while Mortimer and the magnates at Kilkenny failed to take any steps to intercept the retreat. Bruce rested in a wood near Trim for a week to refresh his men, who were perishing with hunger and fatigue, and on May 1 finally retired into Ulster.²

Like the raid of Edward Bruce into Meath and Kildare in the winter of 1315-16, this raid of the two brothers also took place in the winter. The choice of season was deliberate. The strength of the feudal army rested mainly in their horse, and

¹ *Supra*, pp. 88-9.

² Laud MS., pp. 301-2.

summer-time suited it best, when the ground was hard and grass was plentiful. But the strength of the Scottish forces lay in their trained bands of pike-men, who were comparatively little affected by weather conditions. In winter they would have more opportunities of protecting their flanks by marshy ground, where the enemy's cavalry could not operate, while the scarcity of fodder would be a constant difficulty for their foes.

The Scots
fail to
effect
their pur-
pose.

But this winter raid of the two Bruces, like the previous raid of Edward Bruce, however disastrous to the feudal lords and their humbler dependents, and however fatal to the prestige of the Crown, was also disastrous to Edward Bruce and fatal to his projected kingdom. For him it had simply resulted in the wasting of a second army. Beyond weakening his enemy he had gained no military advantage. His victories were Pyrrhic victories. He had not taken, or at least had not held, a single important town or strategic point outside of Ulster. The Irish in general did not welcome him as a deliverer, and there was no concerted rising in his favour. A few took advantage of the disturbance to plunder their English neighbours, but were speedily repressed. The native kings in the west and south who had rebelled at his instigation, or trusting to his assistance, had been crushed. Robert Bruce, no doubt, saw that nothing was to be gained by his remaining in Ireland, and accordingly about Pentecost (May 22) with the Earl of Moray¹ he returned to Scotland to carry on the border warfare there. Edward Bruce indeed remained for the time safe in Ulster, but he was henceforth powerless outside its borders.

¹ Chron. Lanercost (Maxwell), p. 218, gives the date.

Mortimer now came to Dublin, and on May 8 the Earl of Ulster was released by the council on his undertaking not to do any injury to the citizens on account of his imprisonment except by process of law. He took no legal proceedings, however, and on June 27 he gave his oath and found sureties that he would obey the mandates of the law and repel the Irish and Scottish enemies of the king. The earl released.

Mortimer now summoned the de Lacys to surrender to the king's peace, but they slew his emissary and defied him. He accordingly assembled a force and drove them into exile, and on July 18, 1317, at Mortimer's instance they were proclaimed felons by the council at Dublin and their lands confiscated.¹ Mortimer next set about the restoration of order in Meath and Leinster. He went to Drogheda, where some of the starving Ulstermen were punished for cattle-stealing, but he made no attempt to recover Ulster. He forced O'Farrell of Annaly to sue for peace and give hostages, and then proceeded to punish the Irish of Imaile and Okinselagh (?).² The chieftain of the O'Byrnes surrendered himself, and the Archebolds were mainprised by the Earl of Kildare. On June 28 John of Athy was appointed admiral of the fleet³ destined for service against the Scots,³ and on

¹ After the disgrace and death of Mortimer the legality of this outlawry was questioned at the instance of Edmund, son and heir of Almaric de Lacy; see the Plea Roll of 1334 transcribed in Chart. St. Mary's Abbey, Dublin, vol. ii, pp. 409-16, where all Mortimer's proceedings are recited, but the result of the appeal is not given. Cf. Laud MS., p. 356, and Cal. Pat. Roll (Ireland), 11 Ed. II (119). In 1331 Hugh de Lacy was pardoned and returned to Ireland: Laud MS., p. 374.

² The Laud MS. has 'Glynsely'. Grace reads 'Olinseli'.

³ Cal. Pat. Rolls, 11 Ed. II, p. 165.

July 2 he succeeded in capturing Thomas of Down, the 'scummar of the se' mentioned by Barbour, and forty of his men.¹

Papal
Bull.

On February 2, 1318, the Papal Bull ordering a peace for two years between the King of England and Robert Bruce under pain of excommunication was read in Dublin in the church of the Holy Trinity.² Bruce refused to open the papal letters because they were not addressed to him as King of Scotland, and, so far from consenting to a cessation of hostilities, proceeded to press the siege of Berwick. Interdicts and threats of excommunication followed, but in the result papal interference on behalf of the English king had little or no effect.

Con-
naught.

Meanwhile, since the battle of Athenry Connaught was torn by the rival factions of the O'Conors contending for the vacant throne. At first for a brief period a cousin of the late King Felim was made king, but early in 1317 he was deposed and afterwards killed, and Turlough O'Connor, Felim's brother, succeeded,³ only, however, to be supplanted next year after a fierce battle by the representative of the Sligo O'Conors now coming more prominently into notice. The

¹ Laud MS., p. 355, here described as *fortissimus latro*. About Easter 1316 the king ordered the men of Drogheda to provide ships for an expedition against 'Thomas Dun': Hist. and Municipal Docs. Ireland (Gilbert), p. 377.

² Laud MS., p. 357. For this Bull see Rymer's *Foedera*, vol. ii, pt. 1, p. 327; cf. p. 364, and Papal Letters, vol. ii, p. 427, &c.

³ William de Burgh and the English supported Turlough O'Connor, and on March 8, 1318, the king granted to Turlough the lands of Sil Murray, the Feths, near Athlone, and the king's lands of Tirmany (excepting the lands of the English and the burgage lands of the towns) to hold during good behaviour at the accustomed rent: Cal. Pat. Roll (Ireland), 11 Ed. II, p. 23 (103).

fighting was almost confined to the Irish districts. The English settlers headed by Sir William de Burgh and Richard de Bermingham, Baron of Athenry, seem in general to have held their own. In Thomond it was otherwise. The death of Richard de Clare on May 10, 1318, in a skirmish near Dysert O'Dea, put an end to the hope of English control in that region. Thomond.

In May 1318, soon after the capture of Berwick by the Scots, Mortimer was recalled to England, and the custody of Ireland together with the chancellorship was entrusted to William Fitz John, Archbishop of Cashel. During his period of office there was no further attempt made by the Scots in Ireland. The harvest was exceptionally good, a welcome relief after the famine of the last two years. Bread from new flour appeared as early as July 25, a thing rarely or never known before, and the price of corn fell from sixteen to seven shillings. On October 9 Alexander de Bykenore, who had been consecrated Archbishop of Dublin by the Pope at Avignon in the previous year, entered Dublin as justiciar.

And now on October 14, 1318, came the end of this fateful episode. Edward Bruce, of whom we have heard nothing since May in the previous year, and who seems to have been for part of the time in Scotland, was once more advancing southwards out of Ulster. He was accompanied by his faithful knights Philip de Mowbray, Walter de Soulis,¹ and John Steward,² but the resourceful Edward Bruce once more advances southwards, October 1318.

¹ So in Laud MS., p. 359. Barbour, however, speaks of *John* de Soulis as killed in the battle (xviii. 110), but John appears to have been already dead, c. 1316: Cal. Docs. Scot., vol. iii, no. 530.

² So in *The Bruce*, xviii. 31. He had been wounded at the battle of Connor, but was healed at Montpelier: *ibid.*, xv. 83.

Earl of Moray was no longer with him. He was, however, now openly supported by Walter, Hugh, Robert, and Almaric de Lacy, Walter le Blund,¹ and John de Caermarthen.² The Scots numbered between 2,000 and 3,000 men,

Outane the kyngis off Erischry
That in gret rowtis raid hym by.³

Bruce entered the county Louth, as before, by Moiry Pass. An English force had been hastily collected to oppose him under the command of John de Bermingham.⁴ With him were some of his relatives and some local lords and officials and their levies. Richard de Tuit,⁵ Milo de Verdun,

¹ For Walter le Blund or White, see *ante*, p. 190, note.

² John de Kermerdyn was also outlawed along with the de Lacys in July 1317, and his lands of Aghaviller, Co. Kilkenny, confiscated: Pipe Roll (Ireland), 12 Ed. II, 42nd Rep. D. K., p. 19.

³ The Bruce, xviii. 8-9. Barbour reckons the Irish as 'weill forty thousand neir!': *ibid.*, 89.

⁴ John de Bermingham was son and heir of Peter de Bermingham of Tethmoy (not of Peter of Athenry, as stated in Dict. Nat. Biog. and elsewhere); see Papal Letters, vol. ii, p. 245, where it appears that he was the founder of Monasteroris in Tethmoy. On the death of Peter, Richard de Burgh, Earl of Ulster, was granted the marriage of John: Cal. Pat. Rolls, 1 Ed. II, p. 76; and the earl afterwards gave his daughter Avelina in marriage to John: Papal Letters, vol. ii, p. 209. According to Clyn he had assisted Roger de Mortimer in expelling the de Lacys from Meath, and had been knighted by him. The Book of Howth states at length that he owed his appointment to Alexander de Bicknor, the new archbishop-justiciar, who only reached Dublin five days before the battle.

⁵ Richard de Tuit and Walter de la Pulle held at this time the custody of some of the lands of Theobald de Verdun, deceased, and Nicholas de Verdun and his brother Milo held the residue: Pipe Roll (Ireland), 11 Ed. II, 42nd Rep. D. K., pp. 16, 24. Walter de la Pulle was sheriff of Louth from May 10, 1318: *ibid.*, p. 64. He had been

Hugh de Turpilton, Herbert de Sutton, and John de Cusack are mentioned. To these were added a chosen band of the townsfolk of Drogheda under Walter de la Pulle, sheriff of Louth. Roland Joce, Archbishop of Armagh, was also present and gave the army absolution.¹ None of the chief lords of Ireland were engaged. With the exception of the Leinster Berminghams the army seems to have been composed of the common people of the neighbouring districts mustered under their lesser lords and local officials. We cannot tell their numbers,² but while it would seem that they were more numerous than the Scots without their Irish allies, their numerical superiority, seeing how the army was got together, cannot have been very great.

North of Dundalk, beyond the low-lying land

implicated in the Verdun riot of 1312, but had seemingly obtained pardon: Plea Rolls printed in Chart. St. Mary's Abbey, vol. ii, App. III. He was escheator in 1324 (Cal. Close Roll (Ireland), 18 Ed. II, no. 27), and was succeeded by Herbert de Sutton: *ibid.*, 20 Ed. II, no. 139. Hugh de Turpilton had already been given the manor of Martry (Co. Meath), forfeited by Walter de Say (Cal. Pat. Roll (Ireland), 11 Ed. II, no. 51), and was afterwards further rewarded: *ibid.*, no. 154 and Cal. Pat. Rolls, 2 Ed. III, p. 345. John de Cusack was sheriff of Louth in 1315-16: Pipe Roll (Ireland), 9 Ed. II, 39th Rep. D. K., p. 67. He had 'sixty men at arms, the best of his own surname and lineage, at Dundalk when Edward Bruce was killed', and was rewarded with a grant of land: Cal. Docs. Scotland, vol. iii, no. 640-1.

¹ Laud MS., p. 360.

² In Marlborough's Chronicle it is said with curious precision that the English numbered 1,324 men, but as the entry goes on to state that they slew 8,274 of Bruce's men, we cannot rely upon it. Barbour's statement that 'Richard of Clare' had with him at Dundalk 'of trappit hors twenty thousand' besides footmen (xviii. 17), in all 40,000 and more (*ibid.* 93), is obviously, like nearly all his numerical statements, worthless.

Battle of
Faughart,
October
14, 1318.

near the harbour and river, the ground rises first gradually and then more rapidly, up to the hill of Faughart. This was the site of the battle, but we have few trustworthy details of the fight. The English appear to have broken the Scottish ranks with a rush, and all who stood their ground were slain. Edward Bruce himself was found dead under the dead body of John Maupas, one of the Drogheda contingent. Walter de Soulis and John Steward were also slain, and Philip de Mowbray was mortally wounded. Among the leaders who were slain we may also add, from the Irish annals, Mac Rory, king of the Innsi-Gall, and Mac Donnell, king of Argyle.¹ Hugh and Walter de Lacy were among the few who escaped. John de Bermingham brought Bruce's head to the king and was created Earl of Louth with the barony of Ardee in recognition of his services.²

So much we learn from contemporary sources, but can we not gain some trustworthy idea of the tactics of this memorable battle from the later accounts which have come down to us?

Barbour's
account.

According to Barbour, Bruce's knights urged him not to fight immediately, but to await some reinforcements reported to be near at hand.³ But

¹ *Mac Ruaidhri ri Innsi-Gall agus Mac Domnaill ri Aerther-Ghaidhel*: Ann. Ulst. The persons intended would seem to be Lochlan, son of Alan of Clan Rory and Angus Og of Clan Donald (see Pedigree of *Maic Somhairle*, ante, vol. iii, appendix to chapter xxx), but I am not aware of any other authority for their deaths in this battle.

² Laud MS. Annals, pp. 359-60.

³ The Bruce, xviii. 51-3. The Scalacronica of Sir Thomas Gray similarly says that Bruce 'would not wait for reinforcements, which had lately arrived and were not more than six leagues distant'. But the Lanercost Chronicle speaks of Bruce arriving at Dundalk 'with his Irish adherents and a great army of Scots which had newly arrived in Ireland to enable him to invade and lay waste that land'; and the

Edward Bruce never willingly shirked a fight, and this time, at all events, would not suffer his inclination to be overborne by prudent counsels :

Now help quha will, for sekirly
This day, but mair baid, fecht will I.
Sa na man say, quhill I may dre,
That stryngth of men sall ger me fle!

It was bravely though foolishly spoken. 'So be it', quoth the knights in effect, 'we shall abide what God has in store.' But the Irish kings, when they found that Bruce's resolution was not to be shaken, warned him plainly not to count on them, saying :

For our maner is of this land
To follow and ficht, and ficht fleand,
And nocht till stand in plane melle
Quhill the ta part discumfit be.

Accordingly they took their stand on the heights above the battlefield where they could watch the issue. They did not indeed join in with the victors in the field. They gave succour to some of Bruce's party who fled. On the other hand, the victors are said not to have attacked the Irish. The few Scots who escaped from the field met the reinforcements who came too late, and made their way to the ships at Carrickfergus, but, according to Barbour,

that wes nocht forouten pane,
For thai war mony tymes that day
Assailit with Erischry.

How are we to account for this alleged withdrawal of the Irish forces from this crucial

Cuth Fhochairte speaks of Bruce having been 'joined by another army from the north', apparently in the middle of the fight.

engagement? It cannot have been due to cowardice. The Irish were born fighters. It is true that they often adopted Fabian tactics against the English, but it is not the fact that they never stood in plain *mêlée* until one side was discomfited. Only two years had elapsed since the carnage of Athenry. They may well, however, have agreed with the Scottish knights in thinking that the occasion was not a favourable one for a regular pitched battle, but we cannot rely implicitly on Barbour's account of their conduct.

An Irish
account.

The Irish are not mentioned in the accounts of the battle given in the Irish and Anglo-Irish annals, but it is otherwise in the *Cath Fhochairte* Tract.¹ Here, as in the Lanercost Chronicle,² Bruce's forces are represented as in three battalions. The host of the Gaels were northwards (i.e. near the brow of the Hill of Faughart), the Galls and Gaels of Meath in the centre (i.e. lower down the slopes), and the Scottish host in a position southwards (i.e. nearest to Dundalk). The English archers poured their arrows on the Gaels, so that 'they were forced from their position', and many of them were killed or wounded. The heavy cavalry charged the Galls of Meath and drove them back on to the brow of the hill, while

¹ Printed in The Louth Archaeological Journal, vol. i, pp. 87-9.

² This tract is published from a transcript written by Bryan Geraghty in 1845, but evidently from a much older original. It is composed in full sympathy with Edward Bruce's attempt to become king of Ireland, and gives an independent but fairly correct account, so far as it goes, of his movements. It preserves some Irish traditions not otherwise known. The Lanercost Chronicle does not state the composition of the three columns or battalions, but says they were so far apart that each was disposed of before the next could come to its assistance.

Bermingham himself made a vigorous onset against the Scottish battalion, 'so that it suffered much more than the other divisions of the army'. Nevertheless the southern and central divisions rallied under Bruce and forced the enemy to the foot of the hill. When the Gaels perceived this brave charge, they rushed upon the archers, whose arrows were spent, and routed them. The broken columns now united and, having been 'joined by another body of forces from the north'—clearly the Scottish reinforcements which Barbour says were near at hand, but had not arrived, and the Lanercost Chronicle says had already joined Bruce—forced back their foes and restored the fortune of the day to the Scottish side.

But now, according to this account, all was lost through the death of Bruce. His forces, secure of victory, had sat down to refresh themselves and take food, while the king himself walked about alone on the field inspecting the dead. At this moment a Gall, disguised as an idiot juggler, came up to Bruce, and pretending to perform a trick for his amusement, killed him with an iron ball attached to a chain, and then took to his heels and escaped. Taking advantage of the confusion and disorganization that followed the death of the king, the English completely routed their opponents.

We must, however, reject this story¹ of the death of Edward Bruce. It is improbable in itself. It is inconsistent with the entry in the earlier Irish annals that Bruce was slain by the

This story of Bruce's death rejected.

¹ The story is, however, at least as old as Thady Dowling, Chancellor of Leighlin, who died in 1628. See his *Annals* under date 1314, where, breaking into English, he writes: 'Mappas, a jugler, knocked him with ij bullets in a bagg and killed him.'

English 'through the power of battle and bravery', and it is contradicted by the specific statement in the Laud MS. that John Maupas slew him in the battle 'viriliter cum magno honore', and was afterwards found dead over the dead body of the king. It would certainly have found ready credence with the Scots and would have been enshrined in Barbour's verse had there been any foundation for it. Its genesis, moreover, is easily understood. A simple people cannot bring itself to believe that its hero has been overcome in fair fight. Barbour himself tells a story, hardly consistent indeed with this Irish tradition, but owing its origin, no doubt, to similar feelings. He says that Bruce did not wear his coat-of-arms that day, but gave it to his faithful follower, Gib (or Gilbert) Harper, who bore it in his stead. In the result the latter was mistaken for Schyr Edward, and it was really Gib Harper's head that was brought 'by Johnne Mawpas' to King Edward in England.¹ But Bruce's appearance was well known both in England and in Ireland, and a mistake as to the identity of the head could not have occurred. The story is merely an attempt to spare the Scottish people the painful thought that their hero's body was mutilated and failed to obtain honourable burial.

Probable
tactics of
the battle.

Apart, however, from this Irish tradition of the precise way in which Edward Bruce met his fate, there seems no reason to doubt the substantial correctness of this account of the tactics of the battle and of the part played in it by the Irish. I gather from it that Bruce chose the ground, and drew up his three divisions, as stated, at intervals on the descending slopes of the hill. The English

¹ The Bruce, xviii. 94-8, 162-74, 221-8.

did not advance through Dundalk—where the bridge and narrow causeway leading northwards from the bridge could have been easily defended—but crossed the Castletown stream somewhere higher up. Thus approaching from the south-west, their three divisions engaged the three divisions of the enemy nearly at the same time. It is noteworthy that their heavy cavalry was not employed against the Scots, but against the deLacys and the Meathmen. John de Bermingham had evidently learned the lesson of Bannockburn, repeated, no doubt, many times in Ireland, that heavy-armed horse would only shatter itself in vain against the Scottish ‘schiltroms’, and he probably relied on the rush of a superior force of footmen. His archers served to disperse the Irish contingent, who were presumably protected only by their ‘bright saffron shirts’. They did not shirk the fight, as stated by Barbour, but suffered with the rest.

At the same time there are good grounds for thinking that even the Irish of the north, never quite whole-hearted in their support of Bruce, had come to see that his presence in Ireland brought them nothing but evil—sword, famine, and pestilence—and that the sooner the last Scot quitted the shores of Ireland the better for all concerned. The Papal Bulls, too, excommunicating Bruce and his adherents, though despised by Bruce himself, may have influenced many and caused them to leave him to his fate. The actual assistance given by those of the Irish who were present at the final scene was perhaps negligible, and the Scots had good reason for thinking that the Irish failed to support Bruce at the last.

A contemporary Dublin record expresses the feeling of relief which came over the English General relief at

Bruce's
failure.

community at the result of the battle of Dundalk : 'sic per manus communis populi et dextram Dei deliberatur populus Dei a precognita et machinata servitute'.¹ But the relief was not confined to the English. The Irish annalist is even more emphatic : 'Edward Bruce, the destroyer of all Erin in general, both English and Gael, was slain by the English of Erin through the power of battle and bravery at Dun Delgan . . . and no better deed for the men of all Erin was performed since the beginning of the world, since the Fomorian race was expelled from Erin, than this deed ; for theft, and famine, and destruction of men occurred throughout Erin during his time for the space of three years and a half, and people used actually to eat one another throughout Erin.'²

Thus ended Edward Bruce's dream of founding a kingdom of his own in Ireland. It never had any chance of realization. The Irish themselves gave him little effective support and showed no enthusiasm for a mere change of masters. Had he driven every person of Norman or English descent out of Ireland he would still have been faced by the far more difficult task of welding the warring Celtic clans into one nation under his rule, and, with the might of England against him, it is not likely that he could have gained even the measure of success attained by Strongbow and his followers.

¹ From the Red Book of the Exchequer, Dublin, quoted by Sir John Davies, 'Discovery' (ed. 1787), p. 65.

² Ann. Loch Cé, 1318.

CHAPTER XXXVIII

THE EBBING TIDE

A. D. 1318-33

THOUGH the Scottish invasion marks the commencement of the ebb of English influence in mediaeval Ireland, its immediate effect, even in Ulster, was moral and economical rather than political. Sword, famine, and pestilence had brought in their train a general impoverishment which affected both races and all classes alike. The bonds of society were relaxed, and a new spirit of turbulence gradually appeared among the English settlers. But there was no considerable recovery of their lands by the Irish. In Ulster, as long as the earl and his grandson lived, there was no marked political change, but there was many a ruined homestead, and much of the prosperity of the English districts was gone. Much of Leinster and Meath had suffered in the same way, but the border-clans were kept in better control than they had been for many years. In Connaught the battle of Athenry had effectually weakened the O'Conors, with the result that the de Burghs and Berminghams were relatively stronger, and the lesser Irish clans more independent. In Desmond Maurice Fitz Thomas gradually became the chief power, though his lands lay mostly outside of Desmond proper. In Thomond, however, though Bunratty and Tradry were not immediately lost, the defeat and death

Immediate
effects
of the
Scottish
invasion.

of Richard de Clare left Murtough O'Brien, who enjoyed the friendship of the de Burghs, more powerful than before; while in part of Ormond, Brian Bán O'Brien, grandson of Brian Roe, was becoming a power which threatened both the Butlers and the de Burghs.

Rewards
and
punish-
ments.

For some years, however, matters went smoothly in Ireland. Rewards were given to those who had been conspicuous in resisting and defeating the Scots, and compensation was given to some of those who had suffered injury from the movements of armies. In particular John de Birmingham, who commanded at Faughart, was created Earl of Louth, and was given all the issues of the entire county and the office of sheriff for life, with knights' fees, &c., as fully as Thomas Fitz John (son of John Fitz Thomas) held the county of Kildare. To this was afterwards added cognizance of all felonies.¹ John of Athy, admiral of the fleet serving against the Scots, was given the manor of Glenarm in Ulster, forfeited by Hugh Byset for adherence to the Scots.² Amongst others who were rewarded with lands for special services against the Scots were Hugh de Turpilton, John de Cusack, Edmund de Birmingham, Miles de Verdun, and Adam le Bretoun, seneschal of Carlow.³ As we have seen, the de Lacys of Meath, believed to have been descended from Robert de Lacy, brother of the first Hugh and lord of Rathwire, were declared felons and their lands confiscated. There were some other con-

¹ Cal. Pat. Rolls, 12 Ed. II, p. 334; Foedera, vol. ii, pp. 393, 397.

² Ibid., p. 313. He had already been given the manor of Dissard in Meath: *ibid.*, 11 Ed. II, p. 126.

³ Cal. Pat. Rolls, 12 Ed. II, p. 343; Cal. Pat. Roll (Ireland), 11 Ed. II, p. 21 (5).

fiscations, but they do not appear to have been numerous, and several Ulster men who, probably under compulsion, had joined the Scots were pardoned.¹ Part of the rent of the city of Dublin was remitted in consideration of the costs to which the citizens had been put in erecting defences against the Scots and of their losses through the burning of the suburbs, and allowances were made to several officials and others for good services rendered or for losses sustained in the course of the war.

Even in the impoverished times that followed the Scottish invasion there were some achievements in the cause of progress. Few of the larger rivers of Ireland were as yet spanned by anything more permanent than wooden bridges resting on piles, and some of these were probably wrecked in the late war; but now, in 1319, a bridge of stone was built across the Liffey at Kilcullen, and in the following year another across the Barrow at Leighlin.² These were on the high road from Dublin to Carlow and Kilkenny. In a different sphere of human activity there was a yet more ambitious enterprise, which must have seemed to the best minds of the day full of promise, but

Rivers
bridged.

¹ Among these were Henry de Logan, Walter de Kilkevan, John and Robert le Savage, Robert de Kendale, Alan Fitz Warin, Michael de Kilkevan and John his son: *Cal. Pat. Rolls*, 12 Ed. II, pp. 313, 580.

² *Laud MS. Annals*, p. 361, where the bridges are said to have been constructed by Master Maurice Jak, canon of the cathedral of Kildare. In 1233 eighty marks were required to complete the bridge at Athlone, and the masonry work at the castle of Randown was suspended to enable the work at the bridge to proceed: *Cal. Docs. Ireland*, vol. i, no. 2043. For the bridge across the Nore at Treadingstown (now Bennett's Bridge) there was a grant of customs for three years: *ibid.*, vol. iii, no. 73.

A uni-
versity
founded.

which now, in the light of history, is seen to have been doomed to failure. This was an attempt made in 1320, to keep Ireland abreast of the educational movement in England by the establishment of a university in Dublin after the example of that at Oxford. It appears that in 1311, John de Leche, Archbishop of Dublin, had obtained a bull from Pope Clement V empowering him to establish in Dublin a university of scholars and a general school (*studium generale*) in every science and lawful faculty, in which masters might freely teach, and scholars attend and study, and such as should be admitted to the honour of the doctorate might obtain a licence in any of the said faculties.¹ Owing, however, to the death of John de Leche in 1313, to disputed elections to the archbishopric, and to the disturbances caused by the Scottish invasion, nothing came of the project until the year 1320, when Alexander de Bykenore, the new archbishop, obtained from Pope John XXII a confirmation of the former bull, and drew up rules for the governance of the university, and the granting of licences in each faculty.² We need not look for the university buildings. If the university had any local habitation it was in connexion with St. Patrick's Cathedral, where the doctors in divinity were to deliver their lectures. The first doctors of divinity belonged either to the Franciscan or to the Dominican order, and Master William Rodyard, Dean of St. Patrick's, promoted to the degree of doctor in canon-law, was the first chancellor.³ For

¹ For a transcript of the original from the *Registrum Alani* see Mason's History of St. Patrick's, App. VII, § 1.

² Ibid., § 2. In 1318 Pope John XXII granted a bull to the University of Cambridge.

³ Laud MS. Annals, Chart. St. Mary's Abbey, Dublin, vol. ii, p. 361.

lack of funds to maintain the students the university never flourished, though it appears to have lingered on until the temporary suppression of the cathedral in the reign of Henry VIII,¹ and it was not until the year 1592, that by the energy of Archbishop Loftus and some Dublin citizens,² who obtained a charter from 'the most serene Queen Elizabeth', by the liberality of the Dublin Council, who granted the splendid site of the dissolved monastery of All Hallows, and by the munificence of the gentry of Ireland, who first subscribed funds, the present college of the Holy and Undivided Trinity was founded 'near Dublin'. But though this movement for the establishment of a university in Dublin did not meet with much success, the fact that the attempt was made is proof that there were men in high places in Ireland who were really in advance of their times, and is further evidence of that precocity of thought and action which manifested itself in many departments in the thirteenth century.

In 1320 a parliament was held in Dublin under Roger Mortimer who had returned to Ireland as justiciar. It took cognizance of the fact that there were bands of evil-doers roving throughout the country, lodging with honest folk against their will, and taking their goods; also others who were or pretended to be men of birth, who collected companies of idle men and went from town to town demanding under threats presents of money, corn, and other victuals; and it was

Parliament of
1320.

¹ See Mason's History of St. Patrick's, c. xiv; Ware's Antiquities (ed. Harris), p. 242 et seq.

² Especially Henry Ussher, Archdeacon of Dublin and afterwards Archbishop of Armagh, and Luke Challoner. Both had been educated at Cambridge. See The Book of Trinity College, Dublin, p. 4.

ordained that when any such appeared hue and cry should be raised against them and they should be apprehended and committed to prison. Also it was further ordained that no one should exact rents from persons for being under his 'avouery and protection', that henceforth none should grant protection except the king and lords of liberties; and that no one should take victuals from their tenants or others against their will. By the same statute it was provided that in each county should be assigned a justice—'a man of court, wise, lawful and powerful'—who with two knights of the county should hold assizes and gaol delivery, and also inquire how sheriffs and others had performed their offices upon the articles aforesaid.¹

Famine
followed
by pesti-
lences.

Obituary.

This legislation is one of many indications that a considerable number of people had been ruined by the Scottish depredations and had been rendered lawless and desperate men. Unfortunately economical conditions, to which the impoverishment was partly due, did not improve. The famine of 1316-17 was followed by a murrain among the cattle, recorded in the years 1321, 1324, and 1325, and there were epidemics among the people of small-pox in 1327 and of something like influenza² in 1328, and great dearth of corn in 1328, 1330, and 1331. These calamities following on the havoc of the recent war tended further to weaken the moral fibre of the English settlers. Many of the leading figures who had occupied the stage of affairs in Ireland imme-

¹ Early Statutes (Berry), p. 281.

² Called *slaedán*, a term now used for 'a cold', 'it lasted for the space of three or four days with every person whom it attacked, so that it was next to death with him': Ann. Loch Cé, 1328.

diately before and during the Scottish invasion passed away about this time. The second Theobald de Verdun, who was lieutenant in Ireland in 1314, died in July 1316, and his numerous lands in England as well as in Meath and Louth were ultimately divided among his four daughters. John Fitz Thomas, who had pushed his way to the headship of the Geraldines of Offaly, and had recently been created Earl of Kildare, died in the following September, when he was succeeded by his son Thomas. Richard de Clare, as we have seen, was slain in May 1318, leaving an infant son who died three years later, the last male representative of the family. Edmund Butler, who had been justiciar during the darkest days of the invasion, died in 1321, leaving as his heir his son James, a minor, afterwards created Earl of Ormonde; and in the same year died John Wogan, who with a few intermissions had been a successful justiciar from 1295 to 1312. Richard de Bermingham, the victor of Athenry, died in 1322, and William de Burgh, who had shared in that victory, closed an active career of combat in 1324. Finally Richard de Burgh, the 'Red Earl' of Ulster, now feeble in health, attended his last parliament at Kilkenny in 1326, and having given a great feast to both magnates and common people, retired to the monastery of Athassel, where on July 29 he breathed his last.¹ He is described by Friar Clyn as 'a knight prudent and witty, wealthy and wise and full of years', and by the Irish annalists as 'the choicest of all the English of Ireland'. His heir was his grandson William, son of John

Richard
de Burgh,
Earl of
Ulster,
1326.

¹ The precise date is given by Clyn, who describes him as 'miles prudens, facetus, dives et sapiens, plenus dierum'.

de Burgh and Elizabeth de Clare, then a minor of about fourteen years of age. Whatever his faults may have been, the great Earl of Ulster had kept order among his feudatories throughout his vast domains for forty-six years. There had indeed been quarrels between the de Burghs and the Geraldines, but the earl had been satisfied to arrange them before the courts without bloodshed and to seal the reconciliation by intermarriages. But now his strong hand was removed from the provinces of Ulster and Connaught, while Thomond and Meath and Louth, and indeed large parts of Munster and Leinster, were without a resident lord with power and authority to keep order.

Weakness
of the
Govern-
ment.

The disappearance of the great feudal lords might not have been an unmixed evil if the central Government had been strong and well organized and ready to take their places in the maintenance of order and the administration of the law. But from the moment of the accession of Edward II the hand that held the reins of government was weak, irresolute, and capricious. The signs were many and manifest. We may here note in particular three cases in which the mishandling of affairs in England had evil consequences in Ireland. These were Edward's irresolute action with regard to Scotland, his weak yielding to the nefarious condemnation of the Templars, and his capricious selection of chief ministers and advisers, to the estrangement of the barons of England.

Scottish
policy.

In the first place, early in his reign Edward practically abandoned his father's energetic policy in Scotland, without adopting the logical alternative of acknowledging the Scottish king and living in amity with him. Instead of frankly

recognizing the inevitable, he virtually forced what friends he had in Scotland to make terms with his rival, and then, when it was too late, made futile and costly attempts to recover the lost ground. The immediate consequence to Ireland of this vacillation, ending with the *débâcle* of Bannockburn, was the scourge of the Scottish invasion with which we have already dealt.

Secondly, against his own better judgement and without any national pressure, Edward weakly acquiesced in the base conspiracy of Philip le Bel and Pope Clement V against the Templars, and ordered their suppression and the confiscation of their goods. The Templars in Ireland shared the betrayal of the Order elsewhere. They had indeed made little mark in the history of the country. Unlike the Prior of the Hospitallers, the 'Master of the Knighthood of the Temple in Ireland' does not appear in the lists of justiciars and other high officials, though he was occasionally employed to audit ministers' accounts, to take charge of crown-moneys, and on other special duties. But the position of the Order, under the continued favour of king and pope, was one of extraordinary privilege. They were freed from all kinds of tolls, taxes, and onerous customs, from tithes, and even from the terrors of excommunication and interdict locally pronounced, while they exercised complete civil and criminal jurisdiction over their own vassals and tenants. Their privileges indeed attracted to their lands the tenants of others to the detriment of their neighbours. Though a military order they held their lands in frank-almoign and not by military service. They were free from assessment for the defence of the land,¹

The suppression
of the
Templars.

¹ Justiciary Rolls, vol. i, p. 409.

and they are not mentioned as fighting in any of the Anglo-Irish wars. They were a class apart, and as such were employed by the royalist barons in 1234 as intermediaries between them and Earl Richard Marshal. They were careful managers of their property, acute business men, and honourable bankers, but their privileges, their pride, and above all their wealth created enemies both lay and clerical. The young king of England, too weak to resist the mandates of the pope, before the close of 1307 ordered their arrest and the sequestration of their property;¹ and now that pope and king had turned against them, the clergy, especially the mendicant orders, pursued them with redoubled hatred and malice. The charges of heresy, idolatry, and evil practices, made against the Templars were not supported, in Ireland at any rate, by any evidence worthy of the name, but the dissolution of the whole Order was decreed in 1312 by an apparently reluctant pope under pressure of the French king.

Manors of
the Tem-
plars.

The wealth of the Templars was not so great as has been supposed. In Ireland their principal manors at the time of the dissolution were as follows: Clontarf in County Dublin and Crook and Kilbarry in County Waterford, granted to them with some other property in 1172 by Henry II, whose charter was confirmed by John, Henry III, and Edward I, the last-named king adding many immunities;² Cooley and Kilsaran in County Louth, the former (and perhaps the latter) granted to them by Matilda de Lacy, widow of David,

¹ Cal. Close Rolls, 1 Ed. II, p. 48 (December 20).

² For the date of Henry II's charter see *ante*, vol. i, p. 274, note. It was produced along with Edward's confirmation in a plea between the Abbot of Dunbrody and the Master of the Templars in 1287: Cal. Docs. Ireland, vol. iii, p. 329.

Baron of Naas;¹ Kilcork and Rathbride in County Kildare; Kilcloghan in County Wexford; Clonaul, now Clonoulty, in County Tipperary; and Teach Templa, now Templehouse, in County Sligo. In addition to the manors they held a considerable number of churches to their own use, and at various times other lands as well. The total annual value of the lands and advowsons held by the Templars at the time of dissolution seems to have been little more than £450,² and the total value of their goods and chattels was about £750.³ At first most of their lands were farmed out by the Crown, but the issues of Crook, Kilcloghan, and Kilbarry were assigned for the sustenance of the imprisoned Templars, while the manors of Clontarf and Kilsaran were actually granted to the Earl of Ulster (though eventually surrendered to the Hospitallers), and other lands were claimed by the feudal lords as escheats. In the year 1324,

¹ Matilda de Lacy's grant of her tenement of Coly with the advowson of the church of Carlingford is transcribed from Plea Roll no. 64 (30 Ed. I, m. 19) by Mr. Herbert Wood: 'The Templars in Ireland', *Proc. R. I. A.*, vol. xxvi (c), p. 375. To this paper the reader is referred for further details on the subject.

² This is the amount (in round numbers) of the items given by Mr. Wood, in the paper above cited, from the certificate sent from the Irish to the English Exchequer in 1327, and from one or two minor sources; but the value of some of the lands mentioned in Mr. Woods' list (Appendix A) is not given. Professor Clarence Perkins estimates the total annual value as not exceeding £411 11s. 2d.: *Eng. Hist. Rev.*, vol. xxv (1910), p. 223.

³ According to the above-mentioned certificate the goods were valued at £716 16s. 6½d. (Woods, as above, p. 348), but the items given by Mr. Woods in his Appendix amount to £750 9s. 2½d. He gives a transcript of the inventory regarding Clonaul. An abstract of that concerning Kilcloghan is given by Mr. Hore in his *History of County Wexford*.

however, in accordance with papal bulls, an Act was passed in England assigning all the lands of the Templars to the knights of St. John,¹ thus further enriching that already rich Order. The goods of the Templars passed through many hands, and some of the custodians, in particular Alexander de Bykenore, Archbishop of Dublin and treasurer, were not above levying toll by the way, so that altogether not much of the property of the Templars went to enrich the king of England, while apparently not all of their lands were acquired by the knights of the Hospital.

Persecu-
tion of
heretics,
1324.

A curious outbreak of religious persecution which took place at Kilkenny at this date (1324) may perhaps be regarded as having been suggested and inspired by the success of the proceedings against the Templars. In that year Alice le Kyteler² and several others were accused of heresy, idolatry, and sorcery, before Richard Ledred, Bishop of Ossory. Dame Alice, though known by her maiden name, had been four times married. Her first husband, William Utlagh or Outlaw, was a wealthy banker and money-lender in Kilkenny,

¹ Statutes, 17 Ed. II (2). For an account of 'The Hospital of St. John of Jerusalem in Ireland' see the paper under that title by Caesar Litton Falkiner in *Proc. R. I. A.*, vol. xxvi (c), pp. 275-317. See, too, *ante*, vol. i, p. 365, where a flaw is pointed out in Mr. Falkiner's argument as to the date of Strongbow's grant of Kilmainham.

² The Kyteler family seem to have come from Ypres. In 1277 William le Kyteler of Ypres and his men had a safe-conduct in carrying his goods and merchandise into Ireland and trading there: *Cal. Pat. Roll*, 5 Ed. I, p. 223. A William de Kyteler, perhaps the same, was sheriff of the liberty of Kilkenny in 1302, when he had a dispute with Dame Alice, then the wife of Adam le Blund of Callan, touching £3,000: *Cal. Pat. Roll (Ireland)*, 31 Ed. I, nos. 3 and 4; and cf. *Justiciary Rolls*, vol. ii, p. 335. There was a 'villa Flamingorum' at this time in Kilkenny: *Journ. R. S. A. I.*, vol. i, p. 39.

and their son, William Outlaw junior,¹ followed his father's business with eminent success, and it seems probable that, as in the case of the Templars, the great wealth of the family was their real sin.

The bishop's proceedings are detailed at great length, from his point of view, in a contemporary narrative,² which in essentials is supported by the annals of Friar Clyn and other monastic annals. As one reads this narrative one marvels at the pertinacity of the prelate 'in the cause of faith'. Neither Arnold le Poer, seneschal of Kilkenny, nor the chancellor of Ireland, nor the treasurer, nor even the vicar-general of his own metropolitan could temper the bishop's ruthlessness. Not satisfied with having secured the condemnation of Dame Alice (who, however, aided by friends managed to escape), and with having scourged into confession and burned at the stake in the market-place at Kilkenny one of her alleged 'pestiferous companions'—the first case of the kind in Ireland³—he summoned her son William Outlaw on a charge of 'heresy and consorting with heretics', caused him to be imprisoned, and at length consented to his release only on his finding sureties in £1,000⁴ that he would roof

¹ William Outlaw was one of a few in Ireland from whom in April 1322 the king sought a gift or loan of money in aid of the Scottish campaign: Cal. Close Rolls, 15 Ed. II, p. 530.

² A contemporary Narrative of the Proceedings against Dame Alice Kyteler in 1324 (edited by Thomas Wright), Camden Society, 1843.

³ It was soon imitated. In 1328 an unfortunate Irishman, Adam Duff O'Toole, was burned at Le Hogges near Dublin for alleged heresy and blasphemy: Laud MS. Annals, p. 366.

⁴ On Jan. 25, 1325, Roger Outlaw, prior of St. John of Jerusalem, and ten of the principal landholders in County Kilkenny acknowledged that they were bound to the Bishop

the chancel of the cathedral at Kilkenny and St. Mary's chapel therein with lead, perform various acts of penance, and provide a perpetual priest to celebrate mass at the said chapel. Even this triumph, as we shall see, did not end the bishop's activities 'in the cause of faith'.

Court
favour-
ites.

Thirdly, from the beginning of his reign Edward had alienated the barons of England by dismissing his father's counsellors and elevating to the highest posts self-seeking favourites, first Piers de Gaveston, who was murdered in 1312, and afterwards the two Despensers, father and son. This ill-advised conduct led to disorders and civil war in England. The baronial opposition was crushed for the moment at Boroughbridge in 1322, when the blood of Gaveston was avenged by the defeat and execution of Earl Thomas of Lancaster and many of his principal followers. For a few years the Despensers triumphed, but their enemies were numerous, and troubles multiplied about them and the king; and when in September 1326 the unscrupulous queen and her paramour Roger Mortimer landed in England with an invading force, the end of the Despensers and of the unfortunate king was at hand. As in other cases, these disorders, and even it would seem these rival factions, had their counterparts in Ireland, where though comparatively unimportant at the time, they were ultimately more disastrous because attended by more permanent results. For in Ireland not only were disorder and private warfare more difficult to repress, but Irish clans were ever ready to take

of Ossory in £1,000: Cal. Close Roll (Ireland), 18 Ed. II (50). These were the sureties for William Outlaw: see *ibid.*, 20 Ed. II, no. 16.

advantage of disunion among the magnates to regain their own freedom from control and to reduce the area in which the king's writ ran.

The feud among the Irish barons arose before June 18, 1325, when writs were issued to Arnold le Poer and Maurice Fitz Thomas commanding them to desist from assembling men-at-arms and foot-soldiers for the purpose of attacking each other.¹ At a parliament held at Kilkenny on July 11 following, the ordinance to which we have already referred, bidding the magnates to chastise those of their families and names who should break the peace, was confirmed, and the penalty of a fine at the king's will was imposed on non-compliance.² In spite of writs and ordinances some disorders must have ensued, as on July 14, 1326, Maurice Fitz Thomas, and John, son of Peter le Poer, Baron of Dunoyl, Co. Waterford, had licence to treat with felons of their respective families, surnames, and following, up to the end of November, and meantime the sheriffs of Cork, Waterford, Limerick, and Tipperary were ordered not to arrest the said felons.³ But this period of grace seems to have been utilized by the opposing magnates in strengthening their respective factions by confederacies, for on December 11, the same sheriffs were ordered to issue proclamations forbidding all such confederacies, and special writs were issued to Maurice Fitz Thomas, John de Bermingham,

Feud
among
the
barons,
1325.

¹ Cal. Close Roll (Ireland), 18 Ed. II (99-100).

² Early Statutes (Berry), 19 Ed. II, p. 313.

³ Cal. Pat. Rolls (Ireland), 20 Ed. II (20 and 21). This was subsequent to the parliament which met at Kilkenny on May 11, 1326, when the community of Co. Tipperary granted an aid (assigned by the king to the Earl of Louth) to repress the felons and rebels in that district: *ibid.*, no. 22.

Earl of Louth, Arnold le Poer and others, not to join such confederacies or aid them in any way.¹ But denunciatory proclamations and writs, in the absence of the power to enforce them, were waste paper. In 1327 the dispute came to a head. Maurice Fitz Thomas was supported by the Butlers and the Berminghams, and Arnold le Poer by the de Burghs. Maurice first attacked the de Burghs, killed some of them, and drove the rest into Connaught, and then towards the close of the year he or his allies burned and laid waste Arnold's lands in counties Tipperary and Waterford, and at Kells in Ossory, so that Arnold with the Baron of Dunoyl had to take refuge in the city of Waterford.²

The Earl of Kildare, who had been appointed justiciar in the beginning of the year, named a day for the parties to come before the council, but Arnold Power, instead of appearing, crossed to England about February 2, 1328, while his opponents continued to harry and burn his lands. The towns now began to be alarmed lest they should be attacked, but Maurice and his allies sent messengers to the king's council to say that they would come to Kilkenny, and there clear themselves and show that they had no intention of harming the king's lands, but only of avenging themselves on their enemies. The right of private warfare was seldom more openly claimed. When, however, Maurice and his followers appeared before the justiciar and council at Kilkenny and sought the king's charter of peace, the council cautiously took time until a month after Easter to consider their answer.³ Meantime in Easter

¹ Cal. Close Rolls (Ireland), 20 Ed. II (60, 61).

² Laud MS. Annals (as above), pp. 364-5; Clyn, p. 19.

³ Laud MS. Annals (as above), p. 365.

week the justiciar died and was succeeded in his office by Roger Outlaw, Prior of Kilmainham.

The monastic annals, the only ones which notice this quarrel, give no indication of its real cause. They say indeed that Arnold le Poer, using monstrous language (*enormia verba*), called Maurice Fitz Thomas 'a Rymour', and that this led Maurice, James Butler and William de Bermingham to ravage Arnold's lands. The sting of the gibe lay in the fact that Irish rimers or bards used their art to incite the native clans to attack the English at every opportunity and recover their ancient inheritance.¹ But this gibe, like the nicknames Gaveston bestowed on his opponents, was obviously a symptom of the quarrel, not its cause, for which we must search elsewhere. Now Arnold le Poer was seneschal of Kilkenny, where the castle and liberty were held up to this time by the younger Hugh Despenser in right of his wife Eleanor, eldest daughter and one of the coheirs of the late Earl of Gloucester. Hugh coveted the earldom of Gloucester and had intrigued against his parceners, Hugh d'Audley and Roger d'Amory, husbands of the other Gloucester heiresses, who were therefore his bitter enemies. It is not improbable that some of the odium which attached to Hugh Despenser adhered to his seneschal, and this possibly accounts for the hostility of the Butlers who were the principal freeholders in the county. When in

Real
cause of
the feud.

¹ They also came among the English as spies: Statute of Kilkenny, c. 15. Those who are familiar with their savage incitements at a later age—e.g. to wipe out the inhabitants of the Pale, 'so that a woman from Meath may munch out a morsel of her first child's heart'—will understand the secular detestation with which the loyal English regarded Irish rimers.

October 1326, Mortimer let loose the dogs of war against the Despensers, the hunted king with his favourite set sail from Chepstow with, it is said, the intention of seeking refuge in Ireland—presumably in Hugh Despenser's castle—but they were driven back by contrary winds. We should not, however, be warranted in thinking that the causes which produced the cleavage among the English barons were precisely those which operated to bring about a similar cleavage in Ireland. It is more probable that disorder spread by infection, as it were, from the one country to the other, and that in Ireland diverse local interests and jealousies determined the sides men took. The Poers held lands in the Decies and may have come into conflict with Maurice Fitz Thomas who was overlord there. In the politics of Thomond and County Limerick, Maurice now occupied the place of the de Clares, having been given during pleasure in 1321 all the castles and lands of Richard de Clare 'for the better preservation of peace in the marches'.¹ This grant inevitably brought him into antagonism with Murtough O'Brien, king of Thomond, and with the de Burghs (who always supported Murtough), and, as a necessary consequence, into alliance with Murtough's rival of the house of Brian Roe. Maurice's ally, William de Bermingham, had married Joan, widow of Richard de Clare. Nevertheless, it must be noted that the fortunes of the two parties in Ireland, at least as affected by governmental action, rose and fell with the rise and fall of the corresponding parties in England. Thus, as long as the Despensers ruled the kingdom, custodies and other emoluments were

¹ Cal. Close Rolls (Ireland), 14 Ed. II (98).

bestowed on Arnold le Poer,¹ while in 1328-9, when Roger Mortimer had triumphed over the Despensers and was the virtual ruler, Arnold le Poer was left to die in prison, while James Butler was created Earl of Ormonde,² and Maurice Fitz Thomas, Earl of Desmond.³ When Mortimer in his turn was overthrown, William de Burgh, Earl of Ulster, was taken into high favour, and the Earl of Desmond and William de Bermingham were thrown into prison.

Arnold le Poer, indeed, was imprisoned at the instance of the implacable Bishop of Ossory, who stated that he (Arnold) had been convicted before him of heresy. The bishop, however, failed to appear on the day fixed for the civil inquiry, alleging that his enemies were lying in wait for him on his route. At the same time Roger Outlaw, the justiciar, was defamed by the bishop for favouring heresy and abetting Sir Arnold in his heretical pravity. The justiciar was allowed to clear himself, which he did effectually, but Arnold died in the castle of Dublin on March 14, 1329, and lay for a long time unburied.⁴ It is vain to

Bishop
Ledred
again.

¹ See Cal. Patent and Close Rolls (Ireland), Close, 18 Ed. II (57 and 164); Pat., 20 Ed. II (5), and Close, 20 Ed. II (168). These grants were all between January 1325 and August 18, 1326.

² This was at the parliament of Salisbury in October 1328, when Mortimer had himself created Earl of March. About the same time James Butler was given in marriage the king's niece, Eleanor, daughter of Humphrey de Bohun, Earl of Hereford.

³ This was on August 27, 1329. The creation of John de Bermingham as Earl of Louth in 1319 was also probably due to the favour of Roger Mortimer, who was then in power and justiciar of Ireland.

⁴ Laud MS. Annals, pp. 368-9. The indignity to the body of this unfortunate man was in accordance with the fifteenth article of the Constitutions of Bishop Ledred, which

attempt to unravel all this tangled skein of intrigue, of which we can see clearly only a few threads, and yet it seems probable that ecclesiastical persecution of this unfortunate man was not unconnected with the baronial feud. The bishop was, indeed, charged with fomenting feuds amongst the magnates, and on June 18, 1329, when an inquiry was about to be made into his conduct, he fled from Ireland and, when summoned before the king in England, set out for Rome. The king accordingly wrote to the pope to warn him not to believe the bishop's representations.¹ It is some satisfaction to know that ten years later, by an appropriate revenge, the bishop was himself accused of heresy by his metropolitan.² He was not finally restored to favour until near the end of the year 1354. The merit, however, is ascribed to him of having much adorned his cathedral in erecting anew and glazing all the windows, 'among which the east window was beautified with such excellent workmanship that the like was not in Ireland'.³

A king of
Leinster
chosen,
1328.

We cannot wonder that while these feuds divided the magnates, attempts were made by the Irish in Leinster to recover the province. Early in 1328, for the first time since the days of Strongbow, we hear of the various clans of Leinster assembling together to make a king (namely, Donnell, son of Art McMurrough)⁴ who proposed

declares that any one who (*inter alia*) 'impedes the jurisdiction of the bishop' shall not receive ecclesiastical burial, and if buried in ignorance shall be exhumed and cast on a dung-hill: *Liber Ruber Ossoriensis*, Proc. R. I. A., vol. xxvii (c), p. 168.

¹ Rymer's *Foedera*, vol. ii, p. 767.

² *Ibid.*, pp. 810, 1082.

³ Ware's 'Bishops'.

⁴ Laud MS. *Annals* (as before), pp. 365-6. This Donnell was probably son of the Art McMurrough who was slain in

to inaugurate an era of conquest. The movement was checked for the moment by his capture and that of the leader of the O'Tooles, but friendly relations with the Leinster clans were further off than ever.

In the spring of 1329, at a parliament held in Dublin, peace was made between the young Earl of Ulster (who now appears on the scene for the first time) and Maurice Fitz Thomas, and the magnates and the king's council once more ordained that the king's peace should be maintained by each magnate punishing the wrongdoers among his own kindred and men.¹ Thus did the government once more confess its inability to perform its primary function, and once more put the responsibility on the magnates individually—and this in spite of the fact that the magnates had hitherto evinced an inveterate predilection for punishing each other's wrongdoers rather than their own. The usual feastings followed, but the king's peace was not long preserved.

A further example of the demoralization that had set in among the Anglo-Irish was afforded in the following June by the massacre of the Berminghams. At Braganstown in Co. Louth John de Bermingham, the recently created Earl of Louth, two of his brothers, and about nine of his kindred and name, together with 160 others, were slain by Gernons, Cusacks, Hadsors, Clintons, and others of the oldest families in the county.

Massacre
of the
Berming-
hams,
1329.

1282: *supra*, p. 19. According to Keating, from this Art sprang the race of Dermot Lavderg Kavanagh, i.e. the septs of St. Mullins, and Polmounty, and, later, of Borris; but see notes to Four Masters, vol. iii, p. 647, and vol. iv, p. 830. King Donnell escaped from the castle in January 1330: Laud MS. Ann., p. 372.

¹ *Ibid.*, pp. 369.

According to the defence put forward, Robert de Bermingham, brother of the earl, and other evil-doers gathered a multitude of armed men, by assent of the earl, and committed homicides, arsons, &c., and upon hue and cry, the sheriff with the *posse comitatus* followed the evildoers to Braganstown and commanded the earl not to receive them, but the earl with armed force assaulted the sheriff and slew several of their following, in which proceedings the earl and the rest were slain.¹ The perpetrators of the deed were pardoned, but whatever their pretext may have been, contemporary opinion was probably correct in assigning as their real motive their unwillingness that the earl 'should rule over them'.²

John
Darcy
justiciar,
1329.

Sir John Darcy was now again appointed justiciar, and on July 3 he married Joan de Burgh, widow of Thomas Fitz John, late Earl of Kildare. The principal matters which engaged the attention of this active justiciar and his movements during the next six months are known to us through the accounts of the paymaster of his forces,³ and they serve to show the disordered state of the country at the time and the scanty forces at the disposal of the justiciar for restoring order. By the conditions on which he held office he was bound to maintain twenty men-at-arms in his suite, and the men whose wages were paid by the paymaster

¹ Cal. Pat. Rolls, 4 Ed. III, p. 531.

² Clyn's Annals, p. 20. Both Clyn and the Irish Annals state that Mulroney MacCarroll, a blind or squint-eyed minstrel—'the most choice tympanist in the world', 'a phoenix in his art'—was killed along with the Berminghams. The precise date was June 10, 1329, though the Irish annals place the deed in 1328.

³ Pipe Roll (Ireland), 2 Ed. III, 43rd Rep. D. K., p. 28.

were in addition. These last and the times and purposes for which they were employed were as follows: 25 men-at-arms in the justiciar's company going from Dublin to Kilkenny to establish peace between the Earl of Ulster and the Poers and Barrys of the one part, and the Earls of Ormonde and Desmond and William de Bermingham of the other part (July 6-14)¹. From another roll it appears that a tribunal of three judges and arbitrators was appointed by the justiciar between the parties²—78 men-at-arms, 291 hobelers, and 285 footmen setting out with the justiciar to subdue the O'Byrnes (August 16-24);³ 18 men-at-arms, 12 hobelers, and 18 footmen in the justiciar's company going again to Kilkenny to establish peace between the said magnates and settle divers discords between them (September 22-October 22);⁴ 53 men-at-arms, 98 hobelers, and 63 footmen setting out with the justiciar to subdue the O'Dempsys and O'Mores who were against the king's peace (October 28-31); 89 men-at-arms, 217 hobelers, and 72 footmen setting out with the justiciar to subdue William Mageoghegan and persons of the name of

¹ Cf. Four Masters (1329): 'Mac William Burke (i. e. Walter, son of William *Liath* de Burgh) and the Earl of Ulster made peace with Mac Thomas (i. e. Maurice Fitz Thomas, Earl of Desmond).'

² See 43rd Rep. D. K., p. 65.

³ Compare Laud MS. Annals (as above), p. 371, where Sir John Darcy is stated to have set out on the precise day, Aug. 16, for Newcastle Mc Kynegan and Wicklow against the O'Byrnes. It is noteworthy that Murtough O'Toole was one of the leaders against the O'Byrnes.

⁴ On Oct. 14 a general pardon was issued to Maurice Fitz Thomas, Earl of Desmond, and on Nov. 1 power was given to the justiciar to admit the earl's men to the king's peace for a reasonable fine: Cal. Pat. Rolls, 3 Ed. III, p. 457.

the de Lacys who in the parts of war had revolted against the king (November 10-22);¹ 77 men-at-arms, 240 hobelers, and 65 footmen setting out with the justiciar to subdue the O'Byrnes who were once more against the king's peace (December 10-18). The wages for each man-at-arms was 12*d.* per day,² for each hobeler, 4*d.*, and for each footman 1½*d.*, and the total for all expeditions amounted to £314 19*s.* 8*d.* The leaders seem to have been mostly County Dublin men with some from Meath and Kildare. The old feudal array was a thing of the past, and the money commutation for military service was difficult to collect and quite inadequate to present needs.

The justiciar seeks aid from the Earl of Desmond.

Notwithstanding the justiciar's energy, all his objects were not attained. In January of next year (1330) he called upon Maurice Fitz Thomas, the newly-created Earl of Desmond, to come with an army to subdue the king's enemies at the king's costs. Maurice came with his army and Brian O'Brien (who can hardly have been welcome to all the magnates) was with him. The force is said to have numbered 10,000 men, mostly, no doubt, consisting of Irish Kerne. We cannot trust the figures, but we may be sure that the army was very much more numerous than any force the justiciar could muster. Maurice first attacked the O'Nolans, defeated them, took a great spoil, burned their lands, and obtained

¹ On the preceding August 9, Thomas Butler, Lord of Dunboyne, and a number of Meathmen were killed in a fight with William Mageoghegan: *ibid.*, p. 370.

² In the above statement the knights and other leaders, who are mentioned by name, are included in the number of men-at-arms. Their pay seems to have been the same, 1*s.* per day, but many of them were allowed various sums in consideration of good service.

hostages from them. Then he went against the O'Mores and obtained their hostages. He also recovered the castle of Lea which had been captured by O'Dempsey.¹

This Brian O'Brien who accompanied the Earl of Desmond into Leinster is usually called in the Irish annals Brian Bán O'Brien. He was grandson of Brian Roe O'Brien, and, as has been mentioned, he had shared the defeat of Richard de Clare at Dysert O'Dea in 1318. He then fled from Thomond, where Murtough O'Brien of the rival clan was now supreme, and had since been carving out for himself a principality in the northern part of County Tipperary mainly at the expense of the de Burghs and the Butlers. As the representative of Clan Brian Roe he had claims to the chieftainship of Thomond, and he seems to have been supported by the Earl of Desmond against Murtough O'Brien of the opposite faction. In July 1329, he defeated at Thurles a formidable army mustered by the young Earl of Ulster, with whom were the kings of Connaught and of Thomond, and he followed up his success by burning the towns of Athassel and Tipperary, and devastating a large tract of the surrounding country.² Though fighting indiscriminately for

Brian
Bán
O'Brien.

¹ Laud MS. Annals (as above), p. 372.

² Clyn, p. 21 (14 Kal. Augusti, 1329): Ann. Loch Cé, Ann. Ulst., 1328 (?). At first sight the Irish annals seem to preserve the true date, as up to July 14, 1329, Darcy, the justiciar (as already mentioned), was establishing peace between the magnates at Kilkenny, when the Earl of Ulster was presumably present. But perhaps the earl was not present when his army was defeated, and the burning of Athassel 'in the first week of August, 1329 (Clyn)' may have caused the discords which necessitated the second intervention of the justiciar in the September of that year. At this time Clyn's dates are very accurate. He died apparently in 1349.

his own hand, he was a formidable opponent to the English, and to bring such a man with his wild Irish forces into Leinster to quell the border clans there, was a novel departure, which must have excited more resentment than gratitude from the English magnates. Indeed the recrudescence of the feud between the de Burghs and the Earl of Desmond, which now seemed imminent, was apparently due to their diverse relations with Brian O'Brien.

Expedi-
tion
against
Brian
O'Brien,
1330.

In the May following his performance in Leinster Brian O'Brien was engaged in what was probably the more congenial task of resisting James Beaufort (Bellofago), sheriff of Limerick, and killing him together with 120 liege subjects of the Crown. To punish this new outrage and expel Brian O'Brien from Thurles, which he seems to have occupied, a large army¹ was led against him in July by Roger Outlaw, the deputy-justiciar, the Earls of Ulster and Ormonde, William de Bermingham, and Walter de Burgh. No decisive result was obtained, and the forces dispersed to their several homes. Then Walter de Burgh with his Connaught men proceeded to ravage some lands of the Earl of Desmond, presumably because he suspected him of abetting Brian O'Brien. Thereupon the justiciar committed

¹ Laud MS. Annals, pp. 373-4; Clyn, p. 21. See too the account of the paymaster for this expedition: Cal. Pipe Rolls (Ireland), 4 Ed. III, 43rd Rep. D. K., p. 43. There are several references in the Pipe Rolls to the royal services exacted for this 'army of Athissel', as it is called. It is not quite certain that Thurles was the place occupied by O'Brien. The Laud MS. has 'Urlyfe iuxta Cashell', and Clyn says that O'Brien defeated the Earl of Ulster, &c., in 1329 'at Yrlef'. O'Donovan takes this as a mistake in the transcription of Thurles (Ir. *Durlas*) which he supposes was written with the thorn-letter.

both the Earl of Ulster and the Earl of Desmond to the custody of the Marshal at Limerick. The latter earl escaped, and the former appears to have been soon released. Early next year (1331) he went to England. Probably neither earl was directly responsible for this new breach of the peace, but pursuant to the recent ordinance it was sought to make each accountable for the acts of his kindred.

Meanwhile great changes in political forces had occurred in England. On November 29, 1330, Roger Mortimer after four years of inglorious rule suffered a traitor's death at Tyburn, and the young king took into his own hands the reins of government. On March 3, 1331, a number of ordinances were made in the parliament at Westminster for the reformation of the Irish government. Some of these were virtual repetitions of clauses in the Act of 1297. Others had for their aim a better control over sheriffs and other officers. We have already noted and commented on the most important new ordinance, that 'one and the same law be made as well for the Irish as the English, except the service of betaghs in the power of their lords', who were to be treated in the same manner as was used in England concerning villeins.¹ But there were also some clauses which seem to have been suggested by recent events: e.g. one forbidding the justiciar to grant pardon for homicides or for any robberies and burnings (except for robberies and burnings committed before Easter 1331), without first ascertaining the king's will thereon; and another forbidding any person of whatever state or condition to maintain favour or defend Irishmen or any other person whatever

Fall of
Mortimer,
November
1330.

Ordi-
nances
for reform
of Irish
govern-
ment,
1331.

¹ *Supra*, p. 26.

rising against the king's peace, under penalty of being himself held a felon.¹

Resump-
tion of
grants.

Two days later the king issued a mandate to the justiciar ordering the resumption of all castles, lands, liberties, &c., granted by him since his accession, the reason assigned being that matters concerning the state of the kingdom 'by certain of our then councillors had been carried out to our injury and dishonour and the impoverishing of the people of the said kingdom'.² The reference of course was to the rule of Roger Mortimer, and one of the principal persons affected in Ireland was the Earl of Desmond.

Anthony
de Lucy,
justiciar,
1331.

Shortly before this time the king had appointed Anthony de Lucy,³ a Cumberland baron already noted for his rigour, justiciar of Ireland, with William de Burgh, Earl of Ulster, as his deputy.⁴ The latter was to take, with the advice of the justiciar and council, all measures necessary for the preservation of peace. Evidently the young earl, who seems to have been in England at the time, was fully trusted by the king. He was the king's kinsman and contemporary. He had been brought up in England, was knighted by the king, and had been given in marriage the king's cousin Matilda, daughter of Earl Henry of

¹ Early Statutes (Berry), pp. 323-9.

² Ibid., p. 331.

³ He was hitherto known to history as the man employed in 1323 to capture Andrew de Harela (or of Hartley), the victor of Boroughbridge, lately created Earl of Carlisle and warden of the Scottish marches. Virtually abandoned by Edward II, Andrew of Hartley had been obliged to make terms with Robert Bruce, and in consequence though not a traitor at heart, he suffered a traitor's death: see England in the Later Middle Ages (Vickers), p. 125, and the article by J. E. Morris there referred to.

⁴ Foedera, vol. ii, p. 811.

Lancaster. And now his father-in-law had been the moving spirit in helping the young king to free himself and the kingdom from the incubus of his mother's paramour.

Sir Anthony de Lucy came to Ireland on June 3. He summoned a parliament at Dublin for July 1, but as several of the magnates failed to attend, he adjourned it to meet at Kilkenny on August 1. The Earl of Desmond, William de Bermingham, and others who had ignored the first summons now came and submitted themselves to the king's grace. We are then told that 'the king (i. e. the justiciar), so far as it lay with him (*quantum sibi incumbabat*), graciously pardoned them, under a certain form, for the evils they had done in the land'.¹ Evidently the pardon was not absolute. There was some reservation. Presumably the pardon was given by the justiciar subject to the king's confirmation, which was not obtained. According to the ordinance of the preceding March the justiciar was forbidden to grant such pardons without first ascertaining the king's will thereon. It would have been better for his reputation if the justiciar had adhered more strictly to this rule. Fifteen days later the justiciar took the Earl of Desmond prisoner at Limerick and afterwards confined him in the castle of Dublin.

The Earl of Desmond imprisoned, August 1331.

There were, no doubt, good legal grounds for imprisoning the Earl of Desmond with a view to bringing him to trial for his warfare against the Poers and de Burghs. But there seems to have been no trial. Probably the Government knew that they could not get a conviction from the

¹ Laud MS. Annals (as before), p. 375. The words in Grace's Annals are 'qui transacta eis fere condonavit'.

His
moiety of
Desmond
to be con-
fiscated.

earl's peers even though the facts were against him. They proceeded to undermine the earl's power in a more discreditable way. On November 6, 1331, the king sent a mandate to the justiciar 'to take into the king's hand the castle and manor of Dunnamark¹ with the demesne lands there, with a moiety of the lordship of the land of Desmond, pursuant to an inquisition taken by him showing that Henry II enfeofed Miles de Cogan and Robert Fitz Stephen by charter of his whole demesne of Desmond; that Miles and Robert divided the lordship between them; that Robert died seised, a bastard and without heirs of his body; and that Thomas de Carew, asserting that he and his ancestors were heirs of the said Robert (though they were not, because Robert died without heirs, &c.), enfeofed by charter Maurice Fitz Thomas before Maurice was Earl of Desmond, without licence'.² Now it is quite certain that Thomas de Carew and his ancestors held a moiety of the seignory of Desmond for upwards of a century. Their position is attested by their own grants, by inquisitions and legal decisions,³ and above all by the fact that the Crown again and again claimed and obtained from them the thirty services reserved in the original grant to Robert Fitz Stephen.⁴ But it was now

¹ Printed 'Dunumcark', but evidently Dunnamark (*dún na mbarc*) near Bantry, where a Carew founded a castle, c. 1215, was intended. See *ante*, vol. iii, p. 128.

² Cal. Fine Rolls, vol. iv, p. 286, 5 Ed. III, November 6, 1331.

³ See Justiciary Rolls, vol. i, pp. 154-5 and 383-5; also Cal. Close Rolls (Ireland), 32 Ed. III, nos. 25, 26, 27, and 37.

⁴ As recently as 1305 Maurice de Carew (father of Thomas) for his good service in Scotland was pardoned £400 'arrears of services due for lands which he held *in capite* in Desmond': Cal. Docs. Ireland, vol. v, no. 413.

objected that FitzStephen had no legal heirs. This was probably the fact. But it was also a fact that in 1182, at a moment when all the lands comprised in the grant were on the point of being lost to the grantees and to the Crown, Raymond le Gros, in the eyes of the world FitzStephen's nephew, saved the situation, and afterwards (whether there was a fresh grant from the Crown or not) was allowed to succeed to his uncle's interest. Similarly from Raymond the half-seignory was allowed to descend to Richard de Carew (whose parentage, however, is uncertain), and from him the regular descent to Thomas de Carew can still be traced, and, as we have said, was often recognized and never questioned.¹ To rely on the technical informalities in the earlier descent was a political blunder as well as a monstrous injustice, and was certainly not the way to make the Earl of Desmond a loyal subject of the Crown.

In the beginning of the following year Anthony de Lucy led a force into Munster 'to repress the malice of certain malefactors there'.² We have no further details of this expedition, but it was apparently on this occasion that he took William de Bermingham and his son Walter prisoners at Clonmel and brought them also to Dublin Castle. William de Bermingham was brother of the late Earl of Louth. He and his son Walter had done good service at the battle of Faughart, but he had supported Maurice FitzThomas in his warfare against the Poers and the de Burghs; and more

¹ See *ante*, vol. iii, chapter xxvii, appendix : 'The seignory of Cork'.

² The sum of £226 5s. 6d. was expended for men in the justiciar's army in Munster between January 20 and May 2, 1332 : 43rd Rep. D. K., pp. 53-4.

William
de Ber-
mingham
hanged,
July 1332.

recently he had been concerned in various acts of violence.¹ On July 11, 1332, to the consternation and grief of the community, who were not accustomed to see laws enforced, William de Bermingham was hanged by order of the justiciar. The Anglo-Irish annalist calls him the noblest and best of knights among thousands, and with a cry of grief exclaims, 'Who in telling of his death can refrain from tears?'² It seems, indeed, to have been one of those spasmodic acts of severity which, coming after a long period of utter laxity, inflame rather than allay passions. The king appears to have awakened to the danger of the situation and at once put a check on the ruthlessness of the viceroy. On August 4 he ordered that execution against any magnates who might be imprisoned for felonies should be stayed until his arrival in Ireland, as he had granted to Roger Outlaw, Prior of Kilmainham, power to treat with both English and Irish about 'coming into the king's peace and favour',³ and on September 30 Anthony de Lucy was superseded as justiciar by John Darcy. Meanwhile, some three months after the arrest of the Earl of Desmond, another arrest was effected which led to even more serious consequences. In November 1331 Walter de

Walter de
Burgh im-
Burgh and two of his brothers were taken

¹ For these, see Clyn, pp. 22-3, where it also appears that in the summer of 1331, William de Bermingham presided over the nuptials of his niece Matilda, eldest daughter and heiress of the Earl of Louth, with Eustace, son of his late enemy Arnold le Poer. Matilda was the king's ward, but if the marriage was without licence, as is probable, the irregularity was afterwards condoned, and a third of the manor of Ardee was delivered to Eustace le Poer in right of his wife on September 22, 1332: 44th Rep. D. K., p. 38.

² Laud MS. Annals (as before), p. 377.

³ Cal. Close Rolls, 6 Ed. III, p. 484.

prisoners in Connaught by, or by the authority of, the Earl of Ulster, and in the following February were brought to the castle of Northburgh in Inishowen,¹ where in the course of the year Walter died in prison.² According to the Irish annals he died of hunger, meaning apparently that in accordance with the inhumane custom still sometimes practised, he was, as the phrase goes, 'put upon diet' and starved to death,³ but there is no suggestion of this in the Anglo-Irish annals, and it may be doubted.

As the event which marks the final shattering of English influence over the greater part of Ireland—namely, the murder of the young Earl of Ulster—was connected with the fate of Walter de Burgh, it is important to ascertain as clearly as may be Walter's position and proceedings in Connaught, and his relations with the earl. He was eldest son of William de Burgh, called '*Liath*' or the Grey, who died in 1324,⁴ and is described by the annalists as 'son of William Mór'. He was probably son of Earl Walter's brother William, who was killed at Athanchip in 1270.⁵ If so, he was first cousin to the Red Earl. On

prisoned,
November
1331.

Walter's
proceed-
ings in
Con-
naught.

¹ Laud MS. Annals (as before), p. 376.

² Clyn, p. 24, where the statement is *obiit in carcere* (1332), and so, on p. 25, when giving the report that the murder of the earl was instigated by Gyle de Burgh, he states as her motive *eo quod fratrem eius Walterum de Burgo et alios incarcerationavit*.

³ John, son of Walter de Lacy, was so punished by Mortimer in 1318: Laud MS., p. 358; where it is said of him, *adiudicatus fuit ad dietam et in carcere moriebatur*.

⁴ Clyn, p. 16. The Irish annals seem to have two entries of his death, one in 1322 and the other in 1324.

⁵ Both Duaid Mac Firbis and the *Historia et Genealogia de Burgo* make William *Liath*, son of Richard Óg, an unnoticed son of the first William de Burgh who died in 1206. But see Galway Arch. Journ., vol. vii, pp. 1-28.

October 29, 1326, after the death of Earl Richard, his eldest surviving son, Edmund, and Walter, son of his cousin William, were appointed guardians of the peace in the counties of Connaught, Tipperary, and Limerick, and also custodians of the lands of the late earl in those counties.¹ In May 1327, however, the manors of the earldom, except those assigned in dower to the widow of John de Burgh, were delivered to the young earl,² but Walter de Burgh, like his father in his later years, seems to have exercised a very free hand in the affairs of Connaught, and to have forwarded a policy of his own without regard to the earl's wishes. Thus we are told that in (seemingly) the very year when Turlough O'Connor, king of Connaught, accompanied the earl in his expedition against Brian O'Brien, Walter de Burgh plundered a number of Turlough's principal retainers.³ In the same year there was a parley between Walter de Burgh and Gilbert McCostello on the one part, and Mulroney Mc Dermot and his son Tomaltagh and Tomaltagh Mc Donough, lord of Tirerril, on the other part.⁴ The meeting came to blows, in consequence seemingly of a blood feud between two members of the Mc Donough clan, but Walter's aim was to enlist the Mc Dermots against King Turlough. Past experience had shown how important it was to secure Mc Dermot's aid in all attempts at dynastic change. Nor apparently was Walter de

¹ Cal. Pat. Rolls (Ireland), 20 Ed. II (13).

² Pipe Roll, 2 Ed. III, 43rd Rep. D. K., pp. 22-3.

³ Ann. Loch Cé, *sub anno* 1328; but as the expedition against O'Brien and the murder of the Earl of Louth, recorded in the same year, really took place in 1329, the latter is, perhaps, the true date.

⁴ Ibid., and Ann. Clonmacnois.

Burgh altogether unsuccessful, for in 1329 there was war between King Turlough and clan Mulroney. In the same year Turlough's brother, Cathal, was forcibly expelled from the Faes of Athlone and from Tirmany 'by the order of Walter de Burgh', imposed upon the O'Kellys.¹ This was in apparent derogation of the grant made in 1318² of these districts (which were included in 'the king's cantreds') to the king of Connaught. In 1330 Turlough made an attack on Walter de Burgh, who was encamped in Mc Dermot's territory. Gilbert Mc Costello, Tomaltagh Mc Donough, and apparently Tomaltagh Mc Dermot came to Walter's assistance, and O'Connor was forced to withdraw. Walter now mustered 'the armies of all Connaught, both English and Irish, with the object', says the annalist, 'of seizing the sovereignty of Connaught for himself'. This, however, was not what Mc Dermot wanted, and 'he turned against' Walter and made 'a prudent amicable peace' with O'Connor.³ O'Connor then went to the earl to complain of Walter's proceedings, and to seek the earl's assistance against him. This is stated by the Four Masters. The Annals of Loch Cé state that 'Turlough O'Connor was slain by the people of Walter Mac William Burk (i. e. Walter de Burgh) when coming from the earl's house', and following this source the Annals of Clonmacnois expressly call Turlough 'King of Connaught', thus identifying beyond doubt the individual said

¹ Ann. Loch Cé, 1329. The translator of the Annals of Clonmacnois and the editors of the Annals of Ulster and of Four Masters so understand this entry. The cantred of Tirmany was perhaps at this time subject to the O'Kellys.

² See *ante*, p. 125, note.

³ Ann. Loch Cé, 1330, and so Four Masters.

to have been slain. But King Turlough lived for many years and was killed in 1345. There is therefore here some copyist's error. Perhaps Walter did attack Turlough when returning from his mission to the earl, and even slay some of his retinue, and, if so, we can the more readily understand the earl's subsequent treatment of Walter.

However this may have been, it will be remembered that after the campaign against Brian Bán O'Brien in the July of this year Walter de Burgh ravaged the lands of the Earl of Desmond, and that this was followed by the committal of the two earls to the marshal, the Earl of Ulster's going to England (probably to clear himself), and his appointment on March 3, 1331, as deputy to the new justiciar, Sir Anthony de Lucy. Next the Irish annalists state that in 1331 Walter de Burgh led a host against Tomaltagh Mac Dermot, now king of Moylurg, and burned his entire country, while the Four Masters add that Tomaltagh and Walter afterwards made peace with one another. The addition is probably correct, as in the next year (1332, though the date can hardly be right) the Irish annals record a victory by 'the earl's son' (i. e. Edmund de Burgh, son of Earl Richard) over Tomaltagh Mac Dermot and Mac William Burk (i. e. Walter de Burgh). This was probably the occasion of the arrest of Walter, which was effected by Edmund de Burgh by order of his nephew Earl William in November 1331.

From this survey of the proceedings of Walter de Burgh in Connaught it is clear that he had been playing his own game in the province, and that the authority of the young earl was ignored. The Red Earl in his later years had left the conduct of affairs in Connaught to Walter's father,

The
earl's
authority
ignored.

who, as we have seen, often played the king-maker there, and once at any rate was suspected of trying to do away altogether with an Irish king. His son thought to follow in his father's footsteps, and he had the support of the large majority of the English settlers in Connaught. Beyond keeping constables in the castles of Roscommon and Randown, the Irish Government had long ceased to exercise control even in 'the king's cantreds', which, as we have seen, had been given up to Turlough O'Connor in 1318. But the young Earl of Ulster, imbued with English notions of order and owing much to the favour of Edward III, while ready to check Irish aggression on his lands, was determined to quell the turbulence of his own barons. The conflict between him and his men was inevitable.

Edward III proposed to visit Ireland in person in the summer of 1332. In the previous November he summoned the Earls of Ulster and Ormonde, William de Bermingham, and Walter de Burgh to England to advise with him concerning his intended visit.¹ Possibly the real object of summoning the two last-named, who no doubt did not attend, was to gain control of their persons. He also bade the Earl of Norfolk and twenty other absentee lords to send men for the defence or recovery of their possessions, intimating that, if when he came to Ireland he found their lands in the hands of the enemy, he might retain them as his conquest.² The king's departure was afterwards postponed to Michaelmas. Elaborate preparations were ordered for shipping at Holyhead on

The
king's
intended
visit to
Ireland,
1332.

¹ Foedera, vol. ii, p. 828; Cal. Close Rolls, 5 Ed. III, p. 400.

² Ibid., 825.

that date, and for the storing in Dublin of wine and provisions,¹ and for the assembling of 1,000 foot-soldiers in Wales. But the visit never took place. In December 1332 the English Parliament decided that it would be dangerous for the king to leave the country in view of the possibility of the Scots invading England. Who can say how the history of Ireland might have been changed had Edward devoted his restless energy, not to barren victories on the moors of Scotland and in the plains of France, but to giving good government to Ireland and fulfilling the promise of the thirteenth century!

Besides the Munster expedition when William de Bermingham was arrested, Anthony de Lucy led expeditions into Leinster to recover and repair the castles of Clonmore and Arklow, which had been captured by the Irish in the previous year, and into Thomond where the castle of Bunratty had been levelled to the ground by Murtough O'Brien and the Mc Namaras.² The castle of Ferns had also been taken by the Irish through some treachery, and was recovered in this year. The manor of Ferns, however, was of little value, and even at the death of Aymer de Valence, in 1324, was nearly all in the hands of the Irish.

John
Darcy
justiciar,
1333.

John Darcy, the new justiciar, did not come to Ireland until February 13, 1333. One of his first acts was to release the Earl of Desmond from prison, where he had been detained for a year and

¹ Cf. 43rd Rep. D. K., pp. 59-60; Cal. Close Rolls, 6 Ed. III, pp. 483, 487-8.

² Clyn, p. 24; Laud MS. Annals (as above), p. 376; and see the paymaster's accounts for these expeditions: 43rd Rep. D. K., pp. 53-6. It is interesting to note that the person who supplied the largest number of troops for the expedition to Clonmore was Lysagh O'More of Leix.

a half. He was liberated on the mainprise of twenty-six earls, barons, knights, and others headed by the Earls of Ulster and Ormonde, who rendered themselves liable to forfeiture of life and lands if he should make any attempt against the king and they should fail to produce his body.¹ Walter de Bermingham was released at about the same time.² The paroxysm of severity was over.

And now the tragedy occurred which may be regarded as closing this epoch of Irish history. On June 6, 1333, William de Burgh, Earl of Ulster and lord of Connaught, was murdered by his own men. It appears that the earl, who was only in his twenty-first year, was going from Newtown-Ards to Carrickfergus when he was treacherously slain at Le Ford—a name which in its Irish dress survives as Belfast.³ John de Logan, Robert, son of Richard de Mandeville, and Robert, son of Martin de Mandeville, are mentioned as the actual perpetrators of the crime, but the deed created a great commotion, and there must have been many sympathizers. The Countess Matilda of Lancaster had to fly by sea to England with her infant daughter, destined to be the ancestress of kings. Darcy, the justiciar, had been collecting shipping and an army to join the king's campaign on behalf of Edward Balliol, the new puppet-king of Scotland—whither too the earl had intended to go—but now, on July 1, by counsel of the magnates in Dublin, he brought his

Murder
of Earl
William,
June 6,
1333.

¹ Laud MS. Annals (as before), p. 378. The names of the mainpernors are given on p. 387 under the year 1345, when by another act of spasmodic rigour most of them were (for the moment) deprived of their possessions.

² Ibid., p. 379.

³ *Bel-feirste*, 'the month of the *fearsad*', *vadum vel traiectus* (Joyce). There was a castle and manor here: Inquis. 1333.

army by sea to Carrickfergus to avenge the earl's death. The perpetrators of the murder had called to their assistance some of the Irish, who were only too ready to befriend the enemies of the loyal English. A petty war ensued, but Darcy's force, with the aid of John de Mandeville¹ and other loyal settlers, made short work of the insurgents, though not before much property was destroyed.² The justiciar then departed with his army for Scotland, leaving the treasurer, Master Thomas de Burgh, as his deputy.

Motive
of the
crime.

The motive which actuated the perpetrators of this crime, like all motives, can only be inferred. Friar Clyn, indeed, says that the crime was ascribed as usual to the influence of a woman, Gyle de Burgh, sister of Walter de Burgh and wife of Richard de Mandeville, and that she had instigated the murder because the earl had imprisoned her brother Walter and others. This vindictive motive may of course have actuated Walter's sister and may have caused her to incite her husband's family to the deed, but the suggestion does not account for the earl's leading vassals in Ulster taking up a blood-feud that was not theirs, nor for their joining in or assenting to a deed which, so long as feudal ideas prevailed, was regarded as peculiarly disgraceful, nor does it harmonize with the hurried flight of the countess and her infant daughter. If the earl's vassals generally had been faithful she was in no danger.

¹ John de Mandeville was appointed sheriff of Co. Down in 1326, after the death of Earl Richard. At the same time Richard de Mandeville was *custos pacis* in the bishoprics of Connor and Derry: Pat. Roll (Ireland), 20 Ed. II (7, 12).

² Especially about the manor of Le Ford, which was laid waste by 'John Logan's war': Inquisition of 1333, Journal R. S. A. I., vol. xliii (1913), p. 139.

The earl was clearly justified in punishing his turbulent vassal in the interests of good faith and order, and there is no suggestion that he acted illegally. Mere vengeance for Walter's death, then, cannot have been the motive of the conspiracy. The circumstances show that the feudal sentiment of fealty to the lord was by this time dead, that the feudal organization was everywhere breaking down, and that, as in the case of the massacre of the Berminghams in Louth, the real motive which actuated the conspirators was the desire to free themselves from the control of a feudal superior. That this motive was at work will be plain to those who have studied the history of the next few years and have seen how the opportunity of the earl's death was seized by the brothers of Walter de Burgh¹ in Connaught to become virtually independent, and how Edmund de Burgh, the Red Earl's son, to whom the custody of the lands of the infant heir was entrusted, was also foully murdered, and in Ulster how the Countess Matilda was unable to obtain the issues of her dower-lands.²

But though the motive which actuated the conspirators was probably the same in each case, the murder of the Earl of Ulster was a much more glaring breach of the feudal code than that of the Earl of Louth. Even if we discount the defence put forward in the latter case, it must be remembered that the newly-created Earl of Louth was imposed as superior lord over men who for many years had known no superior except the

¹ These brothers were Edmund Albanach, from whom were descended the Mac Williams Eighter (Lower) of Mayo, and Ulick, whose son, Richard Óg, was the first Mac William Oughter (Upper) of Galway.

² See Close Rolls, 8 Ed. III, p. 248.

Crown itself. This was always viewed as a grievance. When King John created the honour of Limerick for William de Braose, the crown-tenants there, though only quite recently enfeoffed, bitterly resented it, and some of them opposed their new lord in arms.¹ John de Bermingham too, though a successful commander who had done welcome work in the defeating of Edward Bruce, came of a subordinate line of barons remarkable mainly for their fighting qualities combined with a turbulence which often brought them into conflict with their English neighbours, and in one recent case the family escutcheon is said to have been stained by an act of bad faith towards the Irish.² But William de Burgh came of a line famous in the annals of the conquest of Connaught, and for nearly seventy years he and his ancestors had held the one ancient earldom of Ireland and had brought a measure of order and prosperity to the wilder and more backward parts of the island unknown before. He was the sole link which connected the Crown with two of 'the five Fifths' of Ireland, the sole head of a great organization, incomplete and unwieldy indeed, but better than the anarchy of the past and susceptible of improvement, and when he was removed in this violent fashion the Crown was unable to take his place.

Character
of Earl
William.

Personally Earl William seems to have been a man of great promise. Young as he was, he had been employed in more than one mission of state. He enjoyed the complete confidence of his sovereign, and was clearly prepared to aid the energetic young king in putting a stop to the factions and disorders which had sprung up owing

¹ See *ante*, vol. i, pp. 172-8.

² *Supra*, pp. 35-6.

to the weak and capricious rule of the preceding reign. When grounds of dispute arose between his kinsmen and the Earl of Desmond, he succeeded in allaying the recrudescence of an ancient feud by submitting the points at issue to the arbitration of judges, and he did not hesitate to take the part of Turlough O'Connor against his own kinsmen when he thought that they were in the wrong. Friar Clyn says of him that he was a man *subtilissimi ingenii, reipublicae et pacis amator*. This high praise, not at all in common form, has a ring of truth about it and is borne out by all we know of him.

Though what are called 'epochs of history' are never in reality sharply marked off, but merge more or less gradually into one another, and though the gradual decay of the best elements of feudalism and the disruption of society caused by the Scottish invasion, with consequent growing insubordination and disorder, were already for some years past undermining the vigour of Anglo-Norman rule in Ireland, yet, in view of its circumstances and far-reaching effects, the murder of the young Earl of Ulster may fairly be regarded as marking the close of the feudal period introduced by Strongbow and Henry II, and signaling the opening of a new epoch, distinguished by the recrudescence of Celtic tribalism and its spurious imitation by many of Anglo-Norman descent. The door was now finally closed on a century and a half of remarkable progress, vigour, and comparative order, and two centuries of retrogression, stagnation, and comparative anarchy were about to be ushered in.

His death
the close
of an
epoch.

CHAPTER XXXIX

ONE HUNDRED AND SIXTY YEARS OF NORMAN RULE

A. D. 1173-1333.

IN a former chapter¹ a slight survey was made of the character of the great change effected in Ireland by the Anglo-Normans in the half-century that followed the invasion. Now that their doings have been traced for upwards of a century and a half it will be possible to estimate more adequately the results of that change, the good it brought with it, and the evil, if any, it carried in its train, and to discern some of the causes which brought about the decay of the feudal organization and put a stop to continuous progress on the lines laid down.

Assump-
tion
common
among
Irish
writers.

There has been a strong tendency amongst Irish writers to assume that nothing but evil resulted to Ireland from Anglo-Norman rule. They have in mind the troubled history of Ireland in much later times, learnt perhaps in pages which lay all the faults at the door of England, which ignore historical perspective, and take no account of the political, social, and moral environment of the statesmen and soldiers whom they condemn. Their righteous indignation has been stirred by the recital of the ruthless Tudor wars, the stern Cromwellian repression, the wholesale

¹ *Ante*, vol. ii, c. xxiii.

confiscations, the iniquitous trade-restrictions, the Williamite wars of religion, the long-continued Catholic disabilities. In spite of the fact that in all these troubles leading descendants of the Anglo-Norman settlers suffered as much as any one else, these writers are ready to find the origin of these evils in the Anglo-Norman occupation, and are not in a frame of mind to inquire dispassionately into the actual results of Anglo-Norman rule while it was effective. In their eyes, too, the one bright spot in the later history of Ireland is Grattan's Parliament, but they ignore the fact that the class represented in that parliament were the spiritual successors of the old Anglo-Norman settlers. An independent study of the primary sources has, however, led the present writer to think that the direct and more immediate results of Anglo-Norman domination were on the whole distinctly beneficial to Ireland. To consider possible indirect and more remote consequences, while ignoring the proximate causes of these, would serve no useful purpose, while an adequate consideration of all contributory causes would practically involve the re-writing of the whole history of Ireland.

When estimating the effects of Norman rule in Ireland it is necessary to have in our minds an adequate picture of the state of Ireland before the Normans came. Without such a picture comparison is impossible and judgement worthless. Here, however, it would be out of place to do more than recall the leading impressions produced by a study of the pre-Norman period and supplement in some respects the sketch already made.¹

Historical criticism and archaeological research

Pre-Norman
Ireland.

¹ *Ante*, vol. i, chapters i, ii, and iv.

Ireland's
'Golden
Age'.

have reduced to comparatively humble proportions the exaggerated notions of native writers as to the antiquity and the degree of civilization in early Ireland. Nevertheless, in the centuries following the introduction of Christianity to her shores there was what may fairly be called a 'Golden Age of art and learning' in Ireland. Amid the welter of the break-up of the Western Empire under the pressure of Germanic tribes, Ireland, undisturbed as yet by barbarian inroads, had opportunities of developing cultural ideas which she had received mainly through the channel of the Church. Christian missionaries had brought to her the Latin alphabet, and the monasteries founded by them became in course of time centres of theological learning, to which students flocked from England and the Continent for study and a contemplative life. In her turn Ireland sent forth her missionary sons to foreign lands and helped to keep alive for the world what survived of the faith and learning of the later Imperial Rome. But the monastic scribes and writers did not confine themselves to reproducing copies of the Gospels and composing lives of the saints in the Latin language. The customary laws of Ireland, modified to some extent under Christian influence, were noted down and became the text-books to be explained and expanded by the Brehon lawyers. The heroic tales of pagan Ireland—probably for the most part, as has been said, 'myths tinged and distorted by history'—which had been orally handed down from a remote past, were now written in the vernacular, given a quasi-historical setting, and thus preserved to become the spiritual heritage of the Irish race. New or improved arts and handicrafts, too, were practised in these monastic centres, and are

attested by the marvellous ornamentation of some of their manuscripts, by the intricate metal-work on many a shrine and reliquary, by the panelled crosses in their graveyards, and by the delicate ornamentation of the portals, pediments, and arcades of many a small stone-roofed temple. But when all is said that can fairly be said, it may reasonably be doubted whether this outburst of art and learning penetrated appreciably beyond the cloister and the immediate patronage of the Church so as to make any permanent impress on the people as a whole.

At any rate, this early promise did not lead to full fruition. In the ninth and tenth centuries Ireland, for the first time in the historic period, became the prey of barbarian invaders, and her monasteries, in particular, were again and again plundered and burned. Possibly the picture drawn by the monastic annalists of the destruction caused by the Scandinavian raids is exaggerated, while historians have scarcely given due credit to the Norse settlers for the great advance they made in forming seaport towns and in opening up a foreign trade; yet it seems clear, as already remarked, that the march of civilization in Ireland was arrested, nay turned backwards, by the fierce depredations of the Viking hordes. The century and a half which elapsed between the battle of Clontarf and the coming of the Normans was a period of increasing moral and political anarchy in Ireland. The Church, which had suffered most, had lost her early zeal, and though she numbered some saintly men among her prelates, she had become unfitted in the altered times for the due fulfilment of her mission. The political nexus was broken. The shadowy authority of the *ard-rí*, instead of becoming more substantial, was no

Effect of
Viking
raids.

longer acknowledged throughout the island, and even the theory of a pentarchy, evolved by historians, seldom, if ever, represented the facts. It was during this period that England under the Normans was consolidated into a strong centralized monarchy, while towards its close a great king, by his wise statesmanship and far-seeing administrative reforms, had established order and security and had devised a machinery for carrying on the business of government which subsequent ages have done little more than extend and develop.

Backward
state of
Ireland.

The relatively backward state of Ireland during this period is manifest. The whole country was broken up into numerous shifting groups of tribes, often at war with each other, but with no group powerful enough to obtain and hold the mastery over the rest. Their legal conceptions had never been recast in the Roman mould, but were primitive and unsuited to a progressive society. The idea of the State was unknown and with it the conception of crime as an offence against the community. There was no machinery for making new laws, and the ancient customary laws expounded by the Brehons, though containing much 'natural equity', had no effective sanction. There was nothing but public opinion—the popular 'boycott'—to compel the offender to submit to the arbitration of a Brehon or to abide by his award. Other peoples had passed through a similar stage of evolution, but in the twelfth century the Irish lagged far behind the more progressive nations of Europe.

A somewhat similar absence of governmental interference found indeed advocates among a few political reformers of the last century in England, and the framework of society in twelfth-century Ireland curiously resembles the aggregation of

'amorphous communes', to attain which the Russian anarchist Bakunin was ready to sink modern civilization in blood. But saner minds have seen that to attain the greatest freedom, freedom must be surrendered. Without state-control there can be no security to the individual. In the general insecurity which followed from the absence of state-control in Ireland, agriculture could not thrive, even if the communal land-system had offered better inducement for steady work. Cattle-rearing, then even more than now the main industry of the country, was carried on under the ever-present peril that the stock of the business might be 'lifted' by some hostile tribe. There was no Celtic coinage, and inter-tribal commerce must have been greatly restricted. What foreign trade there was seems to have been confined almost entirely to the Scandinavian sea-ports.

Into this disordered and divided land, where there was little sense of patriotism, as we understand the term, where each man's 'country' was the territory of the tribe or at most the tribe-group to which he belonged, there burst, in the latter part of the twelfth century, a band of Norman adventurers with their retainers, bent on seeking sword-land for themselves.

I have called these adventurers Normans or Anglo-Normans for convenience and as best indicating their most distinctive qualities, but it should be borne in mind that the term is loosely applied. Most of the first invaders came directly from South Wales, and some of them had Welsh blood in their veins, while others were Flemish by extraction, and to these racial elements in their composition, and especially to their Welsh environment, may be ascribed certain divergences of

The invaders,
in what
sense
'Normans'.

character and conduct which have been already noted. Nevertheless, broadly speaking, all the settlers, in the country parts at least, had retained or taken on the Norman culture and traditions.

Their
past.

Who then were these Normans and what were their traditions? In the past four centuries they had made their mark on Western Europe and in more than one country had changed the course of history. From about the year 800, issuing from their northern homes, bands of Scandinavian sea-rovers had swooped not only upon Ireland, but upon the islands, coasts, and rivers of Scotland, Britain, and Gaul. Wherever the Northmen appeared they plundered and ravaged, especially the monasteries, and carried off with them whatever they could lay hands on, so that the terror-stricken Irish would welcome an angry sky and say,

Bitter is the wind to-night,
It tosses the ocean's white hair:
To-night I fear not the fierce warriors of Norway
Coursing the Irish Sea—

and a new petition was added to the litany of nations: *a furore Normannorum libera nos Domine!*

But the period of mere piracy had long ago ended. As we have said, 'from pagans and pirates they became Christians and traders'. They settled and formed orderly governments in Iceland, in the Orkneys and the Western Isles of Scotland, in the seaport towns of Ireland, in the north and east of England, and above all in the country henceforth known from them as Normandy. This last in their hands became a powerful well-organized state in nominal subjection to the king of the Franks. Here in the course of the tenth century they forgot their native language and

shed nearly all of their Scandinavian habits and customs, while they took on the French tongue and absorbed what survived of Latin civilization. In the eleventh century they kept their swords sharpened in the Crusades, and some of their bolder spirits formed the brilliant but short-lived Sicilian kingdom, of which Professor Haskins has said that 'it stood well in advance of its contemporaries in all that goes to make a modern type of government'; and most far-reaching feat of all, they conquered Saxon England, and welded the country into a strong monarchical state, which a century later, in the words of the same accomplished writer, 'was the most highly organized and effective government of its time in Western Europe'.

Such, in brief, was the history and such the tradition behind the invaders of Ireland. They had among their forbears two marked types, occasionally united in varying proportions in the same person, but in general quite distinct: the soldier-type, brave and chivalrous, but lustful of conquest and often unscrupulous, and the statesman type with a great capacity for organization and the ruling of men, but prone to seek his ends by diplomacy, craft, and intrigue, rather than by even-handed justice. In the early conquerors the former qualities predominated, but they were followed by others in whom the characteristics of the latter class were more marked, while all were imbued with the pride of race and the consciousness of superiority. To these men the conquest and domination of Ireland must have seemed a natural development of the past.

In preceding pages, so far as our materials allowed, we have traced the steps by which the invaders gradually accomplished their objects.

How they
gained
their
objects.

As usual in their aggressions they covered their self-seeking aims with a veneer of legality. It was the tribute which, ever since moral principles began to prevail, vice has been wont to pay to virtue. They came to reinstate a dispossessed chieftain who had approached them as a suppliant, and they had the licence of their own king. The utter lack of cohesion among the Irish tribes rendered any sustained general resistance impossible. Like the Gauls of Caesar's time, *dum singuli pugnant universi vincuntur*, and as in the case of the Gauls, there were always powerful native chieftains who, on various occasions, gave the invaders their assistance against their own particular foes. The conquest of Leinster and Meath was soon effected. The feudal relation between the conquerors and King Henry was recognized and established. Nearly all the native kings acknowledged the overlordship of the English monarch, while the native Church welcomed the new régime. The possession of the eastern sea-board facilitated the arrival of newcomers and the transmission of supplies, and the expansion of the Norman settlers as far as Downpatrick, Cork, and Limerick soon followed. By the fourth decade of the thirteenth century Connaught was finally brought within the feudal organization, and the sway of its king, as a quasi-tenant of the Crown, confined to a comparatively small portion of his former territory. In the last quarter of the same century the flow of Norman influence had reached its high-water mark. All Ireland, nominally at least, acknowledged the supremacy of the English Crown.

But to get a true conception of the relative strength of the forces of feudalism and tribalism we must look more closely at the distribution of

the land. If we consider the map of Ireland in the reign of Edward I, we find that about three-fourths of the country were actually dominated by Anglo-Norman lords. In these districts nearly all the best land—that is to say, roughly speaking, land other than woods and bogs with an elevation of not more than 500 feet—was parcelled out among their vassals, and here the feudal organization and feudal land-system prevailed. It must not, however, be supposed that the Irish were entirely expelled from these regions. In many parts, especially in the feudal lordships of Connaught and Ulster, entire Irish septs continued to hold their lands or part of them in more or less real subjection to the Anglo-Norman lord, and, as already shown,¹ most manors throughout the country included among the tenants numerous Irish *betaghs* (the *nativi* or villeins of feudal law) and other unfree classes. As in England the Norman landholders formed a ruling aristocracy, but unfortunately for the amalgamation of the races, Celtic freeholders in feudalized Ireland were more rare than Saxon freeholders in England. In the remaining fourth the Irish clans continued to be virtually autonomous. In their territories the families of their chieftains, and those of their *urrighs*, or subordinate chieftains, formed the aristocracy, the Brehon law prevailed, and English judges, sheriffs, and other officers of the Crown never made their appearance.

The
feudal-
ized dis-
tricts.

The territories of three main groups of virtually autonomous clans may be distinguished: (1) The greater part of the present province of Ulster, viz. all except the present counties of Down and Antrim, the northern part of County Derry, and

Principal
autono-
mous
groups.

¹ *Ante*, vol. ii, pp. 329–32.

the peninsula of Inishowen. Even here, however, the Irish chieftains at the time of which we speak acknowledged the overlordship of the Earl of Ulster, and were in general peaceful. (2) A broad strip about the upper reaches of the Shannon where the O'Conors, nominally vassals of the Crown, were left to wrangle among themselves over the shadow of their ancient power. (3) Desmond or southern Kerry, and western Cork, mostly mountainous country, where, since the battle of Callann in 1261, the Mac Carthys and others were practically supreme until the Earl of Desmond 'overtopped them all', but rather as a quasi-Celtic chief than as a feudal lord. With the possible exception of Desmond, where some few of the earlier settlers seem to have retained or recovered their possessions, these territories were almost exclusively inhabited by native Irishmen.

Semi-
inde-
pendent
groups.

Besides the above, there were some other Irish territories nominally subject to Anglo-Norman lords where some settlements had been made, but these were too few and too scattered to influence the essentially Irish character of their surroundings. These were (1) Thomond, now County Clare, where the O'Brien kings, at first loyal, had lately cast off their allegiance, and though the whole country had been granted to Thomas de Clare to govern as a sort of liberty, the only part actually held by his Norman tenants and organized on a feudal basis was little more than the barony of Bunratty Lower. (2) A large tract having for centre the mountainous region of Slieve Bloom. Here the principal Irish territories to the north-east, east, and south—Offaly, Leix, and Upper Ossory—were nominally subject to the lords of Leinster. There were castles at Geashill, Lea,

Dunamase, Offerlane, and other places, and the king had recently caused a strong castle to be built at Roscrea, but only the eastern parts of Offaly and Leix, and the southern half of Upper Ossory were held by Anglo-Norman tenants. In the remaining parts the Irish clans, under the O'Conors Faly, the O'Mores, and the Mac Gillapatricks, were becoming more and more independent, and at times made raids across the border. The territories to the immediate north-west of Slieve Bloom were reckoned in Meath, but here again the native clans were kept in very imperfect control. (3) The Wicklow mountains and adjoining valleys and uplands. In this region the O'Byrnes and O'Tooles, once powerful clans who had supplied kings to North Leinster, had been confined by Strongbow. Early in the reign of Edward I they had become increasingly restless, expeditions were led against them in their mountain fastnesses, and the castles of Newcastle Mc Kynegan and Castlekevin were 'constructed anew' as a defence against their raids.

The distribution of the districts which remained practically independent of Anglo-Norman rule was largely determined by topographical conditions. Each of them included a difficult mountain region into which the Irish could retire with their cattle when a punitive expedition was sent against them. But after all deductions and explanations have been made, the fact remains that Anglo-Norman rule in Ireland throughout the thirteenth century, and especially towards its close, was a very real thing. It wrought a great change in every department of life. It was an all-pervading dynamic force introducing new ideas—political, social, economical, and moral—

which were all in the direction of what humanity generally regards as civilization and progress. It remains to point out in detail the principal changes thus brought about, and to indicate, so far as is possible at this stage, the causes which deprived Anglo-Norman rule of its full effectiveness, and ultimately defeated much, but not all, of its earlier promise.

The 'Pax
Norman-
nica'.

In the first place, the most important result of the Norman occupation was what I have ventured to call a 'Pax Normannica'. Comparative peace was, indeed, a necessary condition of all progress. It may be said not to have been seriously broken until 1315-18, when the Scottish invasion, though ultimately unsuccessful, disclosed the weakness of England's hold on Ireland. It was not, of course, absolute over all the country. It extended only in a modified form to the districts which remained under Irish rule. Here the old contests between rival factions over the succession to the local chieftainships broke out from time to time, and the settlers by favouring one or other of the claimants, with a view to increasing their own influence, not infrequently added to the turmoil. The subjugation of Connaught involved a decade of intermittent warfare in that province, and there were attempts at domination not permanently successful in other territories. But during the whole period up to 1315, the lordships of Leinster, Meath, Ulster, and Connaught, and the greater part of the province of Munster were free from the desolating raids to which, mainly owing to contests for the provincial kingships, or to struggles to obtain the high-kingship of Ireland, these districts were frequently subject in the pre-Norman period.¹ Feudalism, indeed, as introduced

¹ In the Book of Rights, among the prerogatives of the

into Ireland had a distinctly integrating effect. Wherever it prevailed it made the country *one* in a sense unknown before. Some quarrels and consequent disturbances arose among the Anglo-Irish lords, but they were few and trivial as compared with the devastating conflicts of former Irish chiefs, or even with the discords and risings against the Crown of their English compeers. On the whole the barons of Ireland stood by each other and were conspicuous for their loyalty to the king of England.

Secondly, this freedom from the peril of external raids brought with it for the first time the possibility of social advance, and in particular gave security to the cattle-rearer and the tiller of the soil. As already mentioned, there is no indication of any general clearance from the feudalized districts of the mass of the Irish labouring population. To the Norman settlers land without men to work it was valueless, and we have many proofs of their desire—nay, of their exercising pressure—to keep Irishmen from migrating from the occupied lands.¹ There is, indeed, ample evidence that the Norman occupation led to a great increase in the area of agriculture, and to greatly improved methods of husbandry. This was largely due to the fashion of ‘landlord cultivation’ then in vogue in England. Each manor had extensive demesne lands which were worked as a home-farm, partly by means of the customary services of the *betaghs*, but to an increasing extent by hired labour. There were thus only two economic classes concerned in the culture of these demesnes, and the produce in many cases formed

Advance
in agri-
culture.

kings of Munster are included the right to raid ‘the cattle of Cruachan at the singing of the cuckoo’, and the right ‘to burn North Laighin’, p. 5.

¹ *Ante*, vol. ii, pp. 329–32.

the principal part of the lord's income. There are still extant certain early thirteenth century farming manuals written originally in Anglo-Norman French, such as 'Le Dite de Hosebondrie' by Walter of Henley, and 'Les Reules Seynt Robert' by Robert Grosseteste, Bishop of Lincoln, the most independent thinker and scholar of the age. These are practical treatises embodying the wisdom of the time concerning rural economy, the keeping of estate accounts, the duties of the various estate officers, and the management of the household. Walter of Henley's work retained its pre-eminence for upwards of two hundred years, and even now may be read with interest. The Rules of Bishop Grosseteste were written for Margaret, Countess of Lincoln, who, in 1242, married Walter Marshal, Earl of Pembroke, and they must have been familiar to those concerned in the management of the great fief of Leinster. From the accounts of the ministers of Roger Bigod, Earl of Norfolk, and lord of the liberty of Carlow,¹ we have full information as to the way in which a great estate in Ireland was managed in the latter part of the thirteenth century. A seneschal of knightly rank with a salary of £100 a year presided over the court of the liberty at Carlow. He was head of the executive, and had under him for police and military purposes the constables of the castles of Carlow, Fothered (Castlemore near Tullow), Fennagh, Old Ross, and the Island (Kilmokea). There were two lawyers

Estate
manage-
ment.

¹ Mr. Philip H. Hore in his History of Co. Wexford, vol. i, pp. 9-39 and 140-61, has given copious extracts from these accounts so far as they relate to that county. He has also kindly lent me his MS. transcripts. See too a paper by Mr. James Mills, Deputy Keeper of the Records of Ireland, in Journal R. S. A. I., vol. xxii (1892), pp. 50-62.

(*narratores comitis*) to assist the seneschal, and a chief sergeant to execute the processes of the baronial court. There were also hundred-courts at the principal manors. The chief fiscal officer was the treasurer, to whom at the castle of Carlow the provosts of the burghs and various bailifs and receivers of the lordship rendered their accounts. Husbandry, with which we are here principally concerned, was carried on for the earl on his demesne lands and particularly at Old Ross. At this manor there were remaining in 1281, at the close of the season, 921 wethers, ewes, hoggets, and lambs.¹ 261 had been sold in the course of the year. Sheep sold at 8*d.* to 1*s.*, and lambs at 4*d.* These are low prices, but wool sold at 2*d.* and 3*d.* a lb., a price which (if we multiply by fifteen to get the approximate equivalent in modern currency) will compare favourably with recent pre-war prices. In 1283 the earl had at Old Ross besides sheep 4 common horses ('afers'), 39 oxen, 1 bull, 29 cows, 14 calves, 5 pigs, 9 swans, and 11 pea-fowl. He sold 231 stone of cheese at 8*d.* a stone, and his garden produced leeks, herbs, and apples. Cows and common horses cost about 10*s.*, but for agriculture oxen were principally employed. A team of 4 draft oxen cost from 25*s.* to 31*s.* In 1282-3,² 15½ acres were sown in wheat, 28½ acres in rye, and 82 acres in oats at Old Ross, besides 32 acres of oats at

Produce
and
prices.

¹ In subsequent years the stock of sheep increased. In 1283-4 the total stood at 1,397, and in 1285-6 at 1,442. In 1288 2,160 sheep were sheared.

² An account of supplies for the army in Wales, sent in 1282 to the Earl of Norfolk, as marshal, from his Irish manors, includes large quantities of grain, meat, fish, wine, beer, cheese, salt, onions, &c. : Cal. Docs. Ireland, vol. ii, no. 2009.

Wages.

‘Baliconwr’ somewhere in the neighbourhood. At the present day in Ireland this would be considered a large amount of tillage for one farm. Wheat sold at 5s. to 6s. 8d. a crannock. Taking the crannock at eight bushels, or one quarter, this would give the price of wheat as estimated in our money at from 75s. to 100s. a quarter. Oats sold at 4s. to 6s. a crannock, and rye at 6s. The wages of the regular farm servants—usually eight ploughmen, four shepherds, a cowherd, a reaper, a waggoner, and a watchman or overseer—were four shillings a year each and four pence a week allowed for food. Occasional unskilled labourers received a penny a day. But much was done, particularly at harvest-time, by specially hired labour and piece-work. The average yield of grain was low, apparently not quite three times the amount sown.

Farm
accounts.

The accounts written in Latin are a model for any modern farmer or land-steward. To take for example the account of David Trillec, provost of the manor of Old Ross, for the year commencing Michaelmas 1283—he begins by debiting himself with the arrears of the previous account. Then follows the amount produced by sales of cattle, sheep, wool, cheese, corn, &c. (every item being separately entered), the sums received for pleas and perquisites of the court of the manor, feudal incidents and miscellaneous receipts. The total with the arrears is shown. Next come the expenses, e.g. iron for the repair of ploughs, agricultural implements, wages of smith, hiring of harrowers, &c. Then the keep of the regular farm hands and their wages. Then the cost of work at the farm buildings and enclosures, every item, whether for labour or materials, being separately entered. Then small miscellaneous

expenses, including twelve pence the usual present to the servants at Christmas. In a separate heading are the harvest charges for winnowing last year's grain, and for harvesting the current crop. The various operations appear to have been done mainly by piece-work, the particulars of which are supplied. Ninepence was paid for the 'hocmet', or harvest-feast, of the servants. The total of expenses is then shown, credit is taken for payments to the treasurer at Carlow, &c., and the balance is debited to the provost. On the back of the roll is a full account of the produce of the grange and of the stock. The exact amount of grain—wheat, rye, oats—produced or bought is stated, and every bushel, whether sold or used for seed or fodder, is accounted for. And so of the stock, the number of each kind remaining as stated in the last account, and the increase are accounted for—so many died, so many sold, and so many remaining.

There is no reason to suppose that the farming at Old Ross was in any way exceptional, or even that it was a particularly favourable example of prosperous husbandry. To the accident that Roger Bigod's lands passed to the king in 1306 we owe the exceptional preservation of these accounts, and we are thereby enabled to obtain authentic details which would otherwise have been difficult or impossible to collect. But the earl was an absentee, and only once visited his Irish lands. It is certain that many resident landowners had larger and even more prosperous farms. From a brief memorandum of the chattels left by Maurice Fitz Maurice at his death, in 1286, it appears that he had at Inchiquin in Imokilly ten teams of ploughing oxen, and all the corn of as many carucates in granges and haggards

Acreage
under
tillage.

(neither amount nor value stated), a stud of horses of the value of £100, 300 two-year-old cattle, besides war-horses¹; while he left at five other manors altogether nineteen ploughing-teams and the corn of as many carucates of demesne land, all valued at £170.² Many inquisitions show that in the thirteenth century large areas of arable land were held in demesne, and cultivated by the tenants in chief. Thus the inquisitions taken in 1333 concerning the lands of the ill-fated William de Burgh, Earl of Ulster, state that at Toolooban³ in the Loughrea district, previous to the recent disturbances, no fewer than 570 acres were under the lord's plough, besides thirty-two acres of meadow, each acre being equivalent to at least two modern statute acres, and this was only one, though the principal, of the earl's manors. We may be sure that the lesser occupying tenants in their degree followed the example of their lords, and the large quantities of grain exported from Ireland (instances of which will be presently cited)

¹ From £5 to £20 was usually paid as compensation to those who lost a war-horse in the service of the king: Cal. Docs. Ireland, vol. iv, no. 320.

² Great roll of the Irish exchequer, P. R. O., London, Bundle $\frac{581}{250}$. Sweetman in each case translates 'good carucates', reading no doubt *carucatas bonas* (Cal. Docs. Ireland, vol. iii, no. 463), but Mr. Philip H. Hore kindly informs me that the true reading is *caruc'boi* (i. e. *carucatas boum*), meaning ploughing teams of oxen. This is, no doubt, correct, as it was chattel property, not land, that was concerned. Where land is meant the phrase is usually *carucatas terre*.

³ Journal R. S. A. I., vol. xxxii (1902), p. 133. For a description of the bawn at Toolooban—a rectangular enclosure, 237 by 219 ft., surrounded by a stone wall and having a stone building at the entrance—see Journal Galway Archaeological and Historical Society, vol. xi (1906), p. 127.

are the best proof that in the new order and comparative security of the thirteenth century agriculture became vastly increased and was very profitable to all concerned.

Some legal proceedings taken in 1295 afford an indication of the accumulated wealth in goods and chattels of various kinds to be found in one of the less important manors of County Tipperary. It appears that the castle of Donohill,¹ which belonged to Silvester l'Ercedekne (Archdeacon), was forcibly entered by the sheriff, Hugh Purcell, acting on information that certain felons were being harboured there, and the jurors found that he and his followers took in the castle twelve marks in money of Lady Johanna l'Ercedekne, and they took robes, clothes, &c., to the value of £40. . . . They say also that they took 300 cows, 120 afers, 28 mares, 4 horses, 500 sheep, 200 lambs, 100 pigs, 100 goats, 40 kids, which cattle were found within the castle [i.e. in the bawn]. They took also 28 oxen in a field outside the castle. In his plaint Silvester l'Ercedekne alleges in greater detail that the sheriff 'broke chests and coffers and took goods to the value of £500, viz. £50 in money, robes, table-clothes, napkins, coverlets (*coopertoria tapeta*, tapistries?), sheets, fallings [Irish cloaks], hacquetons, gambisons, habergeons,² helmets, spears, bows, and other armour, 68 charters of feoffment, 48 bonds

Goods
and
chattels.

¹ Justiciary Rolls, vol. i, p. 6. Some remains of this castle are still to be seen, built (like Shanid) on the summit of a high mote in the townland of Moat Quarter and parish of Donohill. In the bawn or bailey foundations of buildings have been traced. The fosses and earthworks are much defaced.

² 'Falling', Irish *falaing*, a mantle; 'hacqueton', a variety of gambison or quilted tunic; 'habergeon', a short hauberk or coat of mail.

of debtors to the value of £100, cups and silver spoons, gold rings, precious stones, brooches, girdles woven with silk, and other jewels, brass pots, cauldrons, and dishes, basins, and other vessels'. He also alleged that even more cattle, &c., were taken than the jurors allowed.

Growth of
towns.

Thirdly, another remarkable step in advance directly due to Norman rule and organization was the growth of towns throughout the feudalized districts. In the first place the seaport cities of Scandinavian origin, Dublin, Waterford, Cork, and Limerick, were enlarged, strengthened, and given a new impetus under royal charters to an expanding trade. To these was soon added the town of Drogheda, taken over by the king from Walter de Lacy.¹ These communities held well together in defence of their common interests. In 1252 a compact was entered into between the burghers of Drogheda and the citizens of Dublin, providing for the joint furtherance of matters of advantage to either community, and for the settlement of disputes which might arise between individual burghers and citizens;² and in 1285 a more extended compact was made between the citizens of Waterford, Dublin, Cork, and Limerick, and the burghers of Drogheda, for the maintenance of their liberties, and for a triennial meeting at Kilkenny with a view to common action in matters affecting them.³ But it was not only these royal cities and boroughs, including also the boroughs of Athlone, Dungarvan, and Louth, that

¹ These towns paid annually for their privileges as follows: Dublin 200 marks, Waterford 100 marks. Limerick £73 6s. 8d., Cork 80 marks, and Drogheda on the side of Uriel £40, and on the side of Meath 40 marks.

² Historical and Municipal Documents (Gilbert), p. 130.

³ Ibid., p. 196.

grew and prospered under Norman rule, but wherever the principal settlers built their castles and established their manorial seats a small town generally grew up and thrived under their protection. The nucleus would be formed by the castle, the church—either an ancient one restored or one built anew—the mill, and the houses of the officials, artisans and traders, whose services would be required. If the surrounding settlement attained sufficient importance, a weekly market, and an annual fair, would be established by patent, and the town would receive a charter from its lord, giving it many valuable rights and immunities, and thus further attracting merchants and traders. Burgage land would be set apart for the townsfolk, who usually paid the small fixed rent of one shilling for their burgages. In the course of time several of these towns were walled or otherwise enclosed. In the thirteenth century, however, a mere town-ditch seems to have been considered a sufficient protection. With few exceptions the murage-grants, of which there were many, belong to the fourteenth century or later. The towns were inhabited largely by men of English rather than of Norman blood, and the names of the burgesses very often denoted a trade.¹ Irishmen too were occasionally made burgesses, and then, as in England in the case of serfs, they became by custom free.² Where the towns

¹ See the lists of names derived from trade, mostly of townsfolk, collected by Mr. Mills in his two volumes of *Justiciary Rolls* (Index of Subjects). Among the provosts of New Ross were L'Aurifaber (Goldsmith), Le Faber (Smith), Le Napper (till lately extant there), Le Gaunter (Glover); also in the same town, L'Espicer, Le Hoser, Le Teynturer, Le Verrur, Le Taillour, &c.

² See *Justiciary Rolls*, vol. ii, p. 352.

received a charter, the burgesses usually elected their own mayors or provosts and other officers, held their own courts, established trade-guilds, and while paying their burgage-rents and certain small dues to the lord, were practically exempt from feudal burdens and feudal control. Others might more properly be described as thriving manorial villages possessing franchises of varying degrees of importance. These towns and manorial villages were very numerous. We have already mentioned a list of no fewer than thirty-eight market-towns and ports in County Cork alone where, in 1299, wardens chosen by the several communities were appointed to carry out the ordinance as to bad moneys;¹ also a list of thirty of the more important towns of the counties of Cork, Limerick, Tipperary and Waterford, which in 1300 contributed to the subsidy for the war in Scotland.² A long list might be compiled of towns known to have received charters either from the king or from their lords, or at which

¹ Justiciary Rolls, vol. i, p. 265. This list (the names being put into modern form) is as follows :—Cork, Youghal, Timoleague, Carrigtohill, Buttevant, Charleville, Middleton, Castlemartyr, Cloyne, Mogeely, Tallow, Corkbeg, Castlelyons, Glanworth, Shandon, Mallow, Fermoy, Mourne, Carrig, Kilworth, Brigown or Mitchelstown, 'Newtown of Olechan'?, Carrigrohane, Castletown?, Doneraile, Dumbulloge, Inishannon, Grenagh, Ballyhooly, Kinsale, Athnowen, Dundanion, Ringrone, Rincorran, Ballinaboy, Beaver or Carrigaline, Douglas, and Fayth (near Cork). With the exception of Cork and Cloyne, all these towns grew up in connexion (seemingly) with Anglo-Norman manors.

² The towns mentioned in Co. Limerick are Limerick, Emly, Adare, Rathkeale, Askeaton, Ardagh, Croom, Kilmallock, Darragh, Aherlow, Knockainy, Pallas Green, and Caherconlish. Those in Co. Tipperary are Cashel, Clonmel, Athassel, Carrick, Ardfinnan, Nenagh, Modreeny, Thurles, Fethard, and Modeshil. Early Statutes (Berry), pp. 231–7.

fairs or markets were established by patent. Indeed it is probably not too much to say that the vast majority of the existing towns in the greater part of Ireland—as well as some others that have since disappeared—owed their origin and early prosperity to the Anglo-Norman settlement. Most of these towns were indeed diminutive in size, but in their small way they formed centres of industry and trade, and of free orderly municipal life, even, in many cases, when the surrounding country had become subject to a disorderly form of feudalism, or lay at the mercy of predatory Irish tribes.

Fourthly, *pari passu* with the growth of towns proceeded the growth of trade, inland and foreign. To the Normans, indeed, was due the introduction into general use of coined money, without which trade cannot advance very far. The Norsemen, it is true, had minted silver coin, but their coinage does not seem to have been widely current in Ireland, and the Irish kings do not appear to have had mints of their own. As late as the year 1157 we read in the Annals of large offerings being made to the newly consecrated church of Mellifont in cows and ounces of gold.

Indications of the expansion of trade under the Anglo-Normans are numerous. We shall here mention only a few. The various grants of customs for the purpose of building or repairing the walls of the larger towns, and, at a somewhat later period, of many of the smaller ones, indicate the principal articles of trade. These murage-grants, though, as might be expected, containing many items in common, usually vary with the circumstances of each town, and in cases of successive grants to the same town the list of customable articles becomes progressively much more

Growth of
trade.

Murage-
grants.

extensive.¹ It is clear, in fact, that the lists were, at first at any rate, drawn up locally with a view to the special trade of each town, though later there seems to have been a tendency to adopt a common form.

Dublin
customs.

As an example we may take the Dublin murage-charter of August 26, 1295. It included custom-duties on the following articles sold in the city: corn; horses and cattle; hides, fresh, salted, or tanned; salt-meat; bacon; fresh salmon; lam-preys; goats and hogs; fleeces; woolfels and skins of many animals; salt, cloth of many kinds, linen-cloth, canvas, Irish cloth, cloth of Galloway in Scotland (*Galeweythe*) and of Worstead in Norfolk (*Worhstede*), cloth of silk and gold, of samite,² diaper,³ and baudekyn,⁴ cloth of silk without gold, and pieces of embroidered sendal;⁵ sea-fish; wine; *cineres* [charcoal?]; honey; wool; iron; lead and tin; tan; avoirdupois [anything

¹ The former variation may be seen, for instance, by comparing the murage-grant to Waterford on June 7, 1234, with that to Drogheda a week later (Cal. Docs. Ireland, vol. i. nos. 2133, 2135), or either of them with that of Dublin in the previous October (ibid., no. 2068); or, again, that of Kilkenny in 1282 with that of Cork in 1284 (ibid., vol. ii. nos. 1913, 2248). For the latter variation compare the grant to Dublin by Henry III in 1233 with that by Edward I in 1295 (Historic and Municipal Documents, ed. Gilbert, pp. 99, 191), or the grant to Drogheda in 1234 with that in 1296 (Cal. Docs. Ireland, vol. iv, no. 311).

² Samite: a rich silk stuff, woven with six kinds of threads. The word is derived, through the French, from the Greek *ἐξάμιτρον*.

³ Diaper: Old French, *diaspre*, *diapre*; from the Greek *διάσπρος*, meaning 'pure white'.

⁴ Baudekyn: silk interwoven with threads of gold, originally made at Bagdad (O.F. *Baudas*).

⁵ Sendal or Cendal: a rich thin silken stuff from the Sanscrit *Sindhu*=the river Indus, through Low Latin and French.

sold by]; suet and fat; wood; alum and copperas; onions; garlic; herrings; boards; mill-stones; flour; cheese and butter; coal; fire-wood; brewing cauldrons; cordwain; roofing nails; horse-shoe iron and cart-clouts; other nails; and any kind of merchandise exceeding the value of 2s.¹

Some of the above articles were imported. For instance, salt ² (except what was produced by solar evaporation), coal, the finer kinds of cloth, and probably all the metals and chemicals, though in the reign of Edward I attempts were made to work some metalliferous mines in County Tipperary. The principal import trade was in wine,³ Wine. and the amount shipped to Ireland from the royal dependencies of Anjou, Aquitaine, and Gascony was very great. Not only was there enough to supply the king's castles in Ireland, the justiciar's expeditionary forces, and the private cellars of ecclesiastics, Norman barons, and Gaelic chieftains, but large quantities were from time to time re-shipped to supply the Welsh castles and the armies led into Wales and Scotland. Thus in December 1298 the king ordered 1,000 hogsheads of wine for the coming Scottish expedition, and 'if these were not found in Ireland the justiciar and the treasurer were to treat with some merchants in order to have them sent from Gascony'.⁴ In January 1300, 3,000 hogsheads of wine were

¹ *Historic and Municipal Documents* (Gilbert), pp. 191-4. The Dublin murrage-charter of 1312 contains even a longer list: *ibid.*, pp. 308-12.

² Salt was imported from the pits of Bordeaux and Poitou. Its abundance is noted in 1318 in contrast to the scarcity of the preceding disturbed period: *Laud MS. Annals*, p. 359.

³ Ireland imported wine from the time of St. Ciaran of Clonmacnois in the sixth century, probably in exchange for skins, wolf-dogs, and possibly hawks.

⁴ *Cal. Docs. Ireland*, vol. iv, no. 570.

ordered from Ireland to be sent to Skinburness.¹ Waterford seems to have had the largest share in this trade, but all the other principal ports participated in it in greater or less degree.

Wool
trade.

As regards exports, Ireland shared in the wool-trade between England and the weavers of Flanders and other places. Even before the coming of the English, Ireland clothed her sons in woollen garments of her own weaving,² and the Flemish colony about Haverford in South Wales, from which many of the early settlers came, is described as 'a people well versed in commerce and woollen-manufacture, a people anxious to seek gain by sea or land in defiance of fatigue and danger';³ but though there is some evidence that in the thirteenth century Ireland exported cloth and cloaks of her own making to England and other places,⁴ the trade seems to have been inconsiderable. It was mainly the raw material that was sent abroad for others to manufacture, and wool, leather, and skins of various kinds were her principal exports.

A good index of the export trade of Ireland and of the relative importance of the principal ports is given by the receipts of 'the great new custom' granted by the magnates to the king in 1257. It consisted of half a mark on each sack

¹ Cal. Docs. Ireland, vol. iv, no. 716.

² *Ante*, vol. i, p. 136, note 1.

³ Giraldus, *Itin. Kamb.*

⁴ Small quantities of Irish cloth, white, green, yellow, and red, were sent to England from the time of King John: Cal. Docs. Ireland, vol. i, nos. 420, 462, 500; vol. ii, no. 2009. In 1305, Irish cloth and fallings (cloaks) were exported to Bayonne: Justiciary Rolls, vol. ii, pp. 157-8. See, too, Mrs. Green's note, 'The Making of Ireland' (2nd edition), Appendix, p. 508, which, however, mostly refers to a later period.

of wool (forty-two stone), half a mark for each sack of 300 wool-fels, and one mark for each last of hides (twelve dozen).¹ Henceforth throughout Edward's reign this was an important source of revenue. In the first five years the foreign merchants, who were collectors of the custom, appear to have received from it upwards of £7,522.² The receipts for two years from Michaelmas 1280 were as follows: ³

			£	s.	d.
From the port of	New Ross	.	880	17	3 $\frac{3}{4}$
"	"	Waterford	690	18	0 $\frac{1}{2}$
"	"	Cork	525	9	3
"	"	Dublin ⁴	325	8	2 $\frac{3}{4}$
"	"	Drogheda	294	2	2
"	"	Youghal	152	4	11 $\frac{3}{4}$
"	"	Galway	75	8	5 $\frac{1}{4}$
"	"	Limerick	21	5	2
Total			£2,965	13	7

That New Ross should head the list, as she did up to the year 1292, will not be surprising if we

¹ Cal. Docs. Ireland, vol. ii, no. 1117. Grants seem to have been made separately by the great Irish landholders. For William de Valence see Parliamentary Writs 1, 2, cited in Select Charters (Stubbs), p. 443. The price of Irish wool at this time varied from 2s. to 3s. a stone.

² Cal. Docs. Ireland, vol. ii, pp. 414-17, from which it appears that Bonesius of Florence received upwards of £800 before April 1277, when he was killed by malefactors in Ireland (*ibid.*, no. 1336), Hugh of Lucca received £1,551 during the same period, and Percival of Lucca received £5,171 between April 1277 and Michaelmas 1280. Cf. no. 2325, and 36th Rep. D. K., pp. 28, 29, and 48.

³ 36th Rep. D. K., pp. 54-6 and 73.

⁴ Great ships could not come to land at the port of Dublin (owing to the river-bar) until in part discharged. They used to anchor at Dalkey and there in part unload before proceeding to the precincts of the city (Ringsend?): Justiciary Rolls, vol. ii, p. 316; Cal. Records, Dublin, vol. i, p. 19.

consider its suitable position, near the junction of the water-ways of the Barrow and the Nore, for drawing from the greater part of Leinster, where the Anglo-Irish, to whose energy the trade was mainly due, were most thickly settled. In the absence of good roads and numerous bridges, the water-ways of Ireland had an importance not easy to realize.¹ Other accounts show that there were receipts in respect of this custom, though of comparatively small amount, at the ports of Wexford, Kerry (Dingle), and of North-East Ulster (Dundalk, Carlingford, Strangford, Carrickfergus, and Coleraine).

Large ex-
ports of
grain and
victuals.

But Ireland's exports were not confined to wool and leather. Sawn timber was sent to England for building purposes,² and to make ships and oars,³ and *bretachiae* or wooden towers were sent to Wales and Gascony for military objects.⁴ But above all, contrary to what might be supposed, judging from the evidence of both earlier and more recent times, Ireland in the latter half of the thirteenth century and the beginning of the fourteenth exported large quantities of grain. As early as 1225 the Mayor of London bought 1,000 crannocks of wheat from the second Earl William Marshal in Ireland,⁵ and there are other examples of the private export of grain to England, Scotland, and France. But the principal cases of the export of grain and other victuals that come under

¹ In 1298 a jury at Kildare presented that the passage of boats, which were accustomed to come from Ross to Athy, was obstructed by a weir, to the injury of the whole country. The obstruction was ordered to be removed: Cal. Justiciary Rolls, vol. i, p. 202.

² Cal. Docs. Ireland, vol. i, nos. 1196, 3090.

³ Ibid., no. 1232.

⁴ Ibid., vol. i, nos. 2735-6, and vol. ii, no. 446.

⁵ Ibid., vol. i, no. 1285.

notice were to supply the king's armies in Gascony, Wales, and Scotland. Thus, to take a few out of many examples, in 1255 2,000 crannocks of wheat were ordered to be sent from Ireland to Gascony.¹ In 1277 600 quarters of wheat and 1,000 quarters of oats were to be bought in Ireland and sent to Chester,² and in about the year 1280 the treasurer expended £1,980 18s. 4d. on victuals for Wales. Entries of supplies from Ireland for Edward's castles in Wales are numerous. As for Scotland, in December 1298 8,000 quarters of wheat, 10,000 quarters of oats, 2,000 quarters of ground malt, 1,000 hogsheads of wine, 500 carcasses of salt beef, 1,000 fat pigs, and 20,000 dried fish were ordered from Ireland to be at Skinburness by the following Pentecost.³ This was for the expedition that was to avenge the defeat inflicted by Wallace at Stirling Bridge. In the first half of the next year sums amounting to £4,383 were paid in Ireland towards these victuals.⁴ For all the subsequent expeditions to Scotland to the end of Edward's reign (1300–1307) large supplies of similar victuals were obtained from Ireland.⁵

All this trade in wool, leather, cloth, timber, and grain must have benefited the native Irish producers as well as the Anglo-Norman settlers, though its existence and volume is clearly traceable to the industry, energy, and connexion with England of the latter.

Fifthly, under the new régime the Church was

¹ Ibid., vol. ii, no. 446.

² Ibid., vol. ii, no. 1318.

³ Ibid., vol. iv, no. 570.

⁴ Ibid., vol. iv, pp. 284 and 304. In the same year 401 quarters of wheat were supplied to the castles in Wales: *ibid.*, no. 597.

⁵ Ibid., vol. iv, nos. 716, 836; vol. v, no. 251, pp. 108–9, no. 506, &c.

Enhanced
position
of the
Church.

brought into closer conformity with that of Western Europe and into more intimate relations with the papal see; its wealth was greatly increased, its status raised, and important immunities secured to the clergy.

To estimate the effect of Norman rule on the Church it will be necessary to review briefly the previous state of the Irish Church and the tendencies of recent movements therein—a subject we have hitherto hardly touched.

The pre-
Norman
Church.

The essentially monastic character impressed on the Irish Church from the first, together with her geographical position, had a profound influence upon her subsequent history. The peace and seclusion of her cloisters rendered possible that high position for learning to which she attained in the seventh to the ninth centuries, while the comparative isolation of the country induced that independence of external control and those peculiarities of custom and observance which distinguished her from the Churches of England and Western Europe. As we have said, the Church took the mould of the tribe.¹ The 'comarb' (heir or successor) of the founder of any particular monastic house succeeded to the government of the institution and held the church property by virtue of his abbatial office and not of his episcopal rank. In fact he was not necessarily a bishop; and hence the line of bishops in some places is difficult to trace. Bishops, though holding a subordinate place in the monastic régime, were, however, essential for the ceremony of ordination. They were appointed in great numbers, apparently as a recognition of merit, whether there was a vacant see or not, and often seemingly without connexion

¹ *Ante*, vol. i, p. 26.

with any see. Their sees were in consequence often small, temporary, and fluctuating. There was, in fact, no regular diocesan distribution of the country¹ and no generally acknowledged hierarchical organization. Even the primatial authority of the see of Armagh, though an attempt was made in a document called the *Liber Angeli*² to represent it as divinely ordained, and on the faith of this document it was confirmed in respect of Munster by King Brian Borumha,³ appears to have been seldom exercised prior to the twelfth century beyond the northern province, and even then was rejected by the Ostman communities of Dublin, Waterford, and Limerick.

It was indeed these Ostman communities that made the first inroad on the ecclesiastical independence of Ireland. In 1074 on the death of Dunan or Donatus, first Bishop of Dublin, Patrick, chosen by the clergy and people of Dublin as his successor, was sent to Lanfranc, Archbishop of

Con-
nexion
with Can-
terbury.

¹ A synod held probably in 1118, under Gillebert, Bishop of Limerick, limited in number and defined in area the dioceses of Ireland, but the arrangement then made was not acquiesced in everywhere: Keating (Irish Texts Soc.), vol. iii, pp. 299-307, referring to the Annals of Clonenagh. The see of Dublin was omitted because, says Keating, 'it was not customary for its bishop to receive consecration except from the Archbishop of Canterbury in England'.

² See Book of Armagh (ed. Dr. Gwynn, 1913), pp. 40-42, and Introduction, pp. lxxv, lxxviii, where the learned editor says 'the *Liber Angeli* is evidently a document deliberately framed with intent to establish the prerogatives and possessions of Armagh, and its primatial jurisdiction and supremacy, on the basis of an alleged divine ordinance . . . In its present form it can hardly be placed before the last quarter of the eighth century'.

³ According to an interesting insertion in the Book of Armagh: *ibid.*, p. 32. Brian's visit to Armagh in 1004 is mentioned in the Annals of Ulster and Four Masters.

Canterbury, for consecration, and to Lanfranc his profession of canonical obedience was made.¹ Indeed there are some grounds for thinking that Dunan, his predecessor, elected c. 1040, was likewise consecrated at Canterbury. Not only might we expect that the Norsemen of Dublin, who called their city 'the metropolis of Ireland', would prefer to apply to the metropolitan of their kinsfolk in England—the country from which it seems they received their Christianity²—rather than admit the supremacy of the Celtic Bishop of Armagh, but also it is expressly stated in the annals of St. Mary's Abbey that Patrick made his profession of obedience at Canterbury 'after the manner of his predecessors'.³ Certainly Patrick's three successors were all consecrated by Archbishops of Canterbury and all made professions of obedience to that see. Similarly Maelisa O'hAinmire or Malchus, first Bishop of Waterford, was consecrated by Anselm in 1096. It is not known who consecrated Gille, or Gillebert, first Bishop of Limerick, but his successor, Patrick, about the year 1140, was consecrated by Archbishop Theobald.⁴

Roman-
izing
party.

Prior to this, early in the twelfth century, an energetic party arose in Ireland, including some of these bishops of the Ostman cities, whose aim was to bring the Irish Church into closer conformity with Rome. Eminent among them was

¹ Ussher's Sylloge (ed. 1696), no. 29 and p. 120.

² Consult Halliday's Scandinavian Dublin, pp. 122-6.

³ Chart. St. Mary's Abbey, vol. ii, p. 349.

⁴ See Ussher's Sylloge, as above, nos. 33, 40, and pp. 120-21. It is possible that Gille was an Ostman. Haliday (Scandinavian Dublin, pp. 129-34) gives reasons for thinking that the Gaelic *giolla* was borrowed from the Scandinavian settlers.

Gillebert, Bishop of Limerick and papal legate, apparently the first so appointed in Ireland. He had become acquainted with Anselm at Rouen and corresponded with him, and he wrote a treatise *de Statu Ecclesiae* expounding the hierarchical system as developed at Rome and Canterbury.¹ Then there was Malchus, who had been a monk at Winchester before he was consecrated by Anselm as Bishop of Waterford, with which see, at this time, Lismore seems to have been united. Most famous of all was Maelmaedhog O'Morgair, or Malachy. He belonged to the northern province, but became thoroughly imbued with the teaching of the Romanizing party at the famous school of Lismore, then presided over by Bishop Malchus. Of Malachy we know much, principally from the writings of his intimate friend and biographer, St. Bernard, Abbot of Clairvaux.

It would have been strange if, in the period following the Scandinavian raids, the Irish Church had not reflected the political anarchy of the time. In the view of the most eminent contemporary writers it was in a condition of administrative chaos, and religion in a state of decay. We have already alluded to the letters of Lanfranc and Anselm, addressed to Irish kings, censuring the laxity of sexual relations in the districts subject to their rule.² Other charges made by these prelates were that bishops were consecrated by a single bishop and were appointed without any fixed sees, that infants were baptized without consecrated chrism, and that holy orders were given by bishops for money. In his Life of St. Malachy

Need of
reform.

¹ Ussher's Sylloge, as above, no. 30.

² *Ante*, vol. i, p. 129.

the Abbot of Clairvaux makes more sweeping statements. Thus in describing the condition of the diocese of Connor, to which Malachy was appointed in 1124, he says,¹ 'It was not men but beasts that this man of God had to deal with. Nowhere yet had he met with the like in the most savage place; nowhere had he found people so profligate in their morals, so ungodly in their faith, barbarous as to their laws, stiff-necked against discipline, filthy in their lives, Christians in name—in reality pagans.' When he comes to particular charges we hear that 'they did not pay tithes, nor first-fruits, nor keep to lawful wedlock, nor go to confession. . . . There were very few ministers of the altar. . . . No voice of preacher or chanter was heard in the churches'. Possibly the writer darkens the shadows to throw into stronger relief Malachy's successful efforts at the reform of his diocese: 'The barbarian laws are abolished, those of Rome are introduced . . . the temples are rebuilt and the clergy ordained in them. The solemn rites of the sacraments are duly celebrated, confessions are attended to, the people crowd to church, the marriage ceremony gives its sanction to the intercourse of the sexes; in fine, everything is so much changed for the better that', in the words of the prophet, 'they who before were not my people, are my people now.'

Hereditary succession at Armagh.

One of the great stumbling-blocks to reform was the practice as to the succession of the 'comarbs' of St. Patrick at Armagh. St. Bernard speaks of this in his usual indignant terms: 'A scandalous custom',² he says, 'had been intro-

¹ *Vita Malachie*, cap. viii, as rendered by Robert King, *Church History of Ireland*, vol. ii, pp. 462-4.

² A similar 'bad custom' prevailed in many of the churches in Wales: Giraldus, *Itin. Kamb.*, book ii, c. 4.

duced by the diabolical ambition of certain nobles, that the holy see [of Armagh] should be obtained by hereditary succession. For they allowed no one to be promoted to the bishopric unless such as were of their own tribe and family; nor was it for any short period this execrable succession had continued, as nearly fifteen generations [or rather successions of bishops] had already passed away in this villainy. . . . In fine there had been already before the time of Celsus eight individuals who were married and without orders, yet still men of education. Hence arose all that neglect of church discipline throughout the entire of Ireland which we have already mentioned; hence that relaxation of censures and wasting away of religion; hence, too, that wild savage spirit that stole into the place of Christian meekness, nay a sort of Paganism introduced under the Christian name.’¹

An end was at last put to this ‘execrable succession’ by the promotion (not without opposition from the noble family aforesaid) of Malachy in 1134 to the see of Armagh. After three years, however, when peace and order were restored, he resigned his position and was succeeded by Gilla Mac Liag or Gelasius, a worthy man who was still primate when the Normans came. But Malachy, though now in the subordinate position of Bishop of Down, remained the real leader of the Irish Church, which he laboured unceasingly to reform and to bring more and more under the influence and authority of Rome.

Such a man would inevitably be drawn to visit Rome, and to Rome in 1139 Malachy went. On his way, both going and returning, he stayed for

Malachy's
journey
to Rome,
1139.

¹ *Vita Malachie*, c. x, in Migne's *Patrology* (Robert King's rendering, as above, p. 465).

a time with St. Bernard at Clairvaux, and, leaving some of his companions there to be trained in the ways of that monastery, he made arrangements for the introduction of the Cistercian order into Ireland. His aim was accomplished in 1142 by the foundation of the great Cistercian Monastery of Mellifont,¹ destined soon to be the mother of a numerous progeny of the same order. At Rome, Malachy was appointed papal legate in place of the aged Gillebert, but the principal object of his journey was to obtain from Pope Innocent II the honour of a *pallium* for the primatial see of Armagh, and also his confirmation of the erection by Celsus of 'another metropolitan see' to be subordinate to Armagh, and the bestowal on it too of a *pallium*. This subordinate metropolis is not named in the *Vita* Malachie. Eminent writers² on the early history of the Church in Ireland have assumed that Cashel was intended, but it seems much more probable that it was Dublin. There is no authority for the supposition that Celsus erected (or attempted to erect) Cashel into a metropolitan see, and, indeed, it seems to have been generally considered such long before his time. On the other hand, the Annals of St. Mary's Abbey Dublin, when paraphrasing the passage in the *Vita*, explain the unnamed see as Dublin.³ Moreover, the Irish annals state that on the death of

The new metropolitan see, probably Dublin.

¹ The first abbot was Christian O'Conarchy, who had been trained at Clairvaux and was sent over by St. Bernard: Sylloge, no. 40. He was afterwards made bishop of Lismore and papal legate; he presided at the Synod of Kells in 1152, and at the Synod of Cashel twenty years later.

² Professor G. T. Stokes states without comment that Cashel and Armagh were the sees in question: Ireland and the Celtic Church, p. 345; and so does the Rev. Thomas Olden: Church of Ireland, p. 231.

³ Chart. St. Mary's Abbey, vol. ii, p. 259.

Samuel, Bishop of Dublin, in 1121, 'Cellach (Celsus), comarb of Patrick, assumed the bishopric of Dublin by the choice of Gail and Gael'.¹ The Annals of St. Mary's Abbey interpret this entry to mean that Celsus constituted Dublin a new metropolis, subject nevertheless to the see of Armagh and to its archbishop as primate.² It is clear, however, that the majority of the burgesses and clergy of Dublin refused to submit to Celsus, and, as on previous vacancies, sent one of their own choice, named Gregory, to Canterbury for ordination, with an intimation that the bishop 'who resides at Armagh' was very jealous of them 'because they were unwilling to submit to his ordination',³ evidently alluding to the attempt to subject Dublin to Armagh. This view that Dublin was the other metropolitan see in question explains at once the zeal displayed by Malachy, the cautious action of the Pope, and the long delay in settling the matter. Malachy wished to correct the anomalous position of Dublin, and he hoped to overcome the opposition to the policy of Celsus by the Pope's authority and the dignity of the *pallium*. The Pope, while confirming the constitution of the metropolis, is said to have withheld the bestowal of the *pallia* until a general council of bishops, clergy, and nobles of the land should have manifested the consent and common desire of all. Evidently the Pope feared that Malachy's proposal might lead to dissension in Ireland. On his return Malachy found that there was still opposition to the arrangement—this time, perhaps, proceeding from the sees of Tuam and Cashel—and it was not until the year 1148

¹ Ann. Loch Cé, Ann. Ulst., Four Masters, 1121.

² p. 254.

³ Ussher's Sylloge, no. 40.

The supremacy of Rome recognized, 1152.

that a synod was held at Holmpatrick to consider the questions at issue. We are not told precisely what was decided there, but Malachy, by the advice of the synod, once more set out to confer with the new Pope, Eugene III. He died on the journey at Clairvaux, and did not live to see his long-cherished wish gratified. In 1152, however, Cardinal Paparo, the papal legate, brought, not two, but four *pallia*, and constituted, not two, but four metropolitan sees, Armagh, Dublin, Cashel, and Tuam. This arrangement probably carried out the advice of the synod of Holmpatrick and the final proposals of Malachy. By distributing the honours it was sought to mitigate jealousy and overcome opposition. By this synod the diocesan organization of Ireland was established as it has substantially remained ever since, and all Ireland by implication acknowledged the spiritual supremacy of Rome.

There are some to whose eyes the surrender of the independence of the Irish Church, which they attribute vaguely to the Anglo-Normans, was a misfortune only equalled in the eyes of others by the surrender of Ireland's political independence; but the former surrender (as indeed the latter) was bound to come sooner or later, and, as we have shown, was in a fair way to accomplishment before Henry II came. Henry was instrumental only in completing, rendering more effective, and setting the seal of permanence to what had already been done.

Henry's relations with the Church in Ireland.

The papal documents which we have previously examined¹ show that an improvement in the position of the Church and the reformation of morals were among Henry II's professed objects

¹ *Ante*, vol. i, c. ix.

in the proposed subjugation of Ireland. Even if we regard Henry's professions as merely intended to conceal purely political designs, he knew that the influence of the Church was in general on the side of order and moderation and respect for the plighted word, and as a statesman he must have wished to stand well by it and to gain its support. The Irish clergy, indeed, were not slow to recognize the advantages held out to them, and at once accepted Henry as their lord, and indeed, throughout the period under review at any rate, generally threw the weight of their influence on the side of the Crown. One of Henry's first acts was to summon a synod of the Irish clergy at Cashel under the presidency of Christian O'Conarchy, Bishop of Lismore and papal legate. We have already given an account of this synod and the substance of the decrees there promulgated. Besides those directed to the reform of irregularities in the matter of marriage, &c., these decrees ordained the payment of tithes to the parish churches; the freedom of church-property from secular exactions, including certain oppressive refections and food-rents that used to be enforced by the Irish chieftains; exemption of clerics from sharing the liability to *eric*-fines imposed upon their kindred for homicide; regulations concerning wills of movables, so that one third or one half of the movables of deceased persons (according as they did or did not leave both a wife and children) should be reserved to the Church, ostensibly for their obsequies.¹ Some

The
Synod of
Cashel,
1172.

¹ The Church endeavoured to retain control over this third or half—'the dead man's part'—by refusal of ecclesiastical burial to those who 'defrauded the Church, their creditors, and their own souls', and by suspension of entrance to the church of legatees who benefited thereby: see the constitu-

of these regulations, in particular the payment of tithes,¹ appear to have been recognized before by the Brehon lawyers, but they had clearly not been generally observed, and there can be little doubt that their solemn enactment by the heads of the Irish Church with the king's sanction, thus making them legally enforceable, was an important gain to the Church and tended to increase its wealth and raise its status. Finally it was laid down generally that all the offices of the Church should henceforth be conducted according to the observances of the Anglican Church. Wherever Anglo-Norman influences prevailed we may be sure that this ordinance was substantially observed.

Church
lands
respected.

Church lands were as a rule scrupulously respected in the grants made by the Crown, and compensation was paid whenever any of it was taken, even for the sites of the king's castles.² This was in marked contrast to the more arbitrary dealings with the rights of Irish chieftains in the lands over which they held sway, and indeed with the lands of Anglo-Norman tenants, which were often confiscated under the feudal régime on the pretext of some offence, or even of some supposed irregularity in title.

Churches
and

But the Norman settlers did much more for the Church and religion. At the close of the twelfth and in the thirteenth century many splendid

tions of Ledred, Bishop of Ossory (1317), *Cal. Liber Ruber of Ossory*, *Proc. R. I. A.*, vol. xxvii (c), p. 168.

¹ *Corus Bescna*, *Brehon Law Tracts*, vol. iii, pp. 33-9, and *Introd.*, p. liii.

² For Dublin Castle see *Cal. Docs. Ireland*, vol. i, nos. 805, 1790; for Athlone, *ibid.*, no. 693; for Clonmacnois, *ibid.*, no. 694; for Roscrea, *ibid.*, vol. ii, nos. 1663-4; for Kildare, *ibid.*, vol. v, no. 132.

monastic establishments were founded and handsomely endowed by them. Parish churches were restored or rebuilt. Judging by such ecclesiastical and monastic registers and charters as have survived, it would seem that there were few settlers who did not devote some portion of their lands towards the endowment of some religious house. The movement of the mendicant orders which commenced in the third decade of the thirteenth century was also encouraged by the king and the Irish lords. In fact nearly all the great houses of these orders in the period under review were founded by the Anglo-Normans. To some modern minds, however, this revival and extension of monasticism may seem anything but a gain to humanity. The monks, it may be thought, were mere parasites living on the sweat of others. But though monasticism may be justly regarded as a false ideal for human activity, and though monasteries did not always live up to even their imperfect ideals, yet in the conditions of mediaeval society they performed functions which, had it not been for them, might have been left undone. The Dominicans were learned preachers, and to some extent supplied the place of our modern professors and lecturers. The Franciscans, also learned, were pioneers in social work and the practice of medicine among the poor of the towns. The Benedictines were foremost in the art of illuminating manuscripts. The Cistercians vied with the Norman barons in setting an example of improved agriculture. The Templars were trusted bankers and accountants. The Priors of the Hospital of Kilmainham often led the feudal array to repress disorder, and sometimes themselves held the office of justiciar. The principal abbots and priors were generally

monas-
teries
founded
and en-
dowed.

summoned, along with the prelates of the Church, to the great councils or parliaments as spiritual peers. The nunneries were places where the daughters of the well-to-do classes could receive such education as was then deemed suitable. The monasteries as a whole helped to fill the void of inns where travellers could obtain lodging and refreshment, and by inculcating charity supplied—not altogether satisfactorily—the want of a system of poor-relief. They offered a place of retreat from the turmoil of the world to many a Norman baron and Irish chieftain in his old age, and above all they were centres of such learning as there was in the country, and by their intercourse with foreign houses, and their use of the common Latin tongue, they formed a link with the learning and art of Western Europe. To them we owe various annalistic records, written in Latin, which throw much light on the history of Ireland during the thirteenth and fourteenth centuries.

Advance
in archi-
tecture.

Sixthly, a great advance was made by the Anglo-Normans in architecture, and especially in ecclesiastical architecture. The mote-castles with their wooden towers and palisading and earthen defences, which the invaders at first constructed wherever they settled, and which in themselves were a great advance in security over the native *dúns* and ring-forts, were replaced in the reigns of Henry III and Edward I by stone keeps and walled baileys enclosing the great halls, kitchens, and other necessary or convenient offices. These, as we have said, became centres of small towns and added greatly to the security of the country. In the larger towns the walls were enlarged and strengthened with mural towers and towers at the gates and bridgeheads, and we now hear of

public buildings therein, such as guild-halls and tholsels, as well as of the *domus lapideae* of the principal citizens. But it was in ecclesiastical architecture that here, as elsewhere and at all times, the greatest effort was made. Precious from their rarity in other lands as are the tiny oratories of early Ireland, and even beautiful in their humble way as are many of her pre-Norman churches with their delicate romanesque ornamentation, it must yet be admitted that, from their diminutive size alone, they were quite unsuited for congregational worship. This was felt by the Cistercians who began to form settlements in Ireland before the Normans came, and to build on a much more bounteous scale. But the great impetus to the movement was given by the Normans themselves. New and more spacious and more splendid fanes were now erected in the transitional or, a little later, in the early English style: such as the cathedrals of Dublin, Downpatrick, Kildare, Kilkenny, Ferns, Waterford, and Limerick, and a vast number of monastic churches for the Benedictine, Cistercian, Franciscan, Dominican, and other orders; many fine parish churches too, such as still in part remain at Youghal, New Ross, Gowran, St. John's (Kilkenny) and other places, the simple grace of which contrasts favourably with structures of a later age.

It was not only in the great art of architecture that Ireland owed a debt to the Anglo-Normans. It must be remembered that in the thirteenth century Anglo-Norman and Angevin art of many kinds reached a high-water mark of development. Whatever his faults as a ruler may have been, Henry III was a sincere lover and intelligent patron of all kinds of art. Mural painting,

Arts and
crafts.

stained glass, sculpture in the form of sepulchral monuments, metal-work, manuscript-illumination, weaving and embroidery, all reached a degree of perfection not attained by any other country at the time, and in some branches, in the opinion of good judges, never since surpassed. Ireland cannot have failed to share to some extent in this aesthetic movement, though the ravages of time and the more destructive ravages of man have left us little but a few fragments of architecture by which to judge. The numerous guilds of arts and crafts that arose, not only in Dublin, but in some of the lesser towns as well, afford some indication that this was so. Nothing was produced in Ireland comparable to Henry III's palace at Westminster with its famous 'painted chamber', but we have seen that Henry had a 'great hall' built at Dublin Castle after the manner of the hall at Canterbury, with large rose-window, mural painting, and a marble portal, the last-named feature valuable enough to excite the cupidity of an episcopal viceroy.¹ The east window of the cathedral of Kilkenny is described by a writer in the early part of the seventeenth century (believed to be David Roth, Roman Catholic bishop of Ossory) as being 'divided by two piers furnished with columns of solid stone, the light streaming through glass of many colours, on which is most skilfully depicted the history of the entire life, passion, resurrection, and ascension of the Lord'.² The window so described is

¹ *Ante*, vol. iii, p. 294. About the same time the king ordered glass windows to be made for the chapel of St. Edward the Confessor in Dublin Castle: *Cal. Docs. Ireland*, vol. i, no. 2581.

² *History and Antiquities of the Cathedral of St. Canice (Graves and Prim)*, p. 69.

believed to have been erected in 1346 by Bishop Richard de Ledred, and it no doubt was the window for which Cardinal Rinuccini three centuries later offered the large sum of £700. The offer was not accepted by Bishop Roth—unfortunately, as it turned out, for a few years afterwards the ‘fanatick Limbs of the Beast’ (so Bishop Williams terms the Cromwellians), among other enormities, ‘broke down all the windows and carried away every bit of the glass, that, they say, was worth a great deal’.¹ Some fragments of thirteenth and fourteenth-century glass were discovered in 1846 in the course of excavations outside the northern windows of the choir at Kilkenny, and some similar fragments have been found outside the magnificent east window of the Collegiate Church of St. Mary at Youghal, which was destroyed by the Earl of Desmond in 1579.²

With regard to sepulchral monuments, Ireland indeed has nothing to show equal to the best examples of this period in England, but for simple piety and refined taste our Anglo-Norman memorials of the dead compare favourably with many much more modern constructions. These monuments take in general one of two forms:

(1) A coffin-shaped slab with chamfered edge, bearing generally a graceful floreated cross and simple inscription, either in Latin or more often in old French, as for instance at the Dominican Friary of Kilkenny: *MÆSTÆR : ROBERT : DÆ : SÆRDELOVE : GIC : ICI : DÆV : DÆ SÆ ALMÆ : HIT : MÆRCI : PÆC. RR.*

(2) A recumbent effigy of the deceased, whether prelate of the Church in episcopal robes, or knight in chain armour with emblazoned shield and

¹ Ibid., pp. 42–3.

² Journal R. S. A. I., vol. xxvi, p. 240.

sword, as at Timolin, Kilfane, Graiguenamanagh, and the so-called Strongbow effigy at Christ Church in Dublin. This effigial style of monument was also adopted at about the same time by some of the Irish chieftains.

Under-
mining of
tribalism.

Seventhly, among the results making for progress that followed the Anglo-Norman occupation may be reckoned the undermining, so far as it went, of Celtic tribalism. Like the occupation it was only partial, and even in districts dominated generally by the Normans there were large patches where the Irish were allowed to remain under their old chieftains, with their antiquated organization and their archaic legal customs. The complete uprootal of the tribal system and substitution of English law everywhere and in all things could not have been effected without arousing fierce opposition, and was perhaps beyond the power of England to effect. Yet the tribal system had to be outgrown before any general and permanent progress could be assured. History everywhere had shown or was showing that national unity was impossible in a loose political organization which involved rivalries leading to violence in the succession to each chieftainship, jealousies leading to war between tribe and tribe, and insubordination leading to governmental weakness between every link in the chain from the petty chief up to the nominal *ard-ri*. Further, that economic progress was impossible where the hereditary principle of succession—not necessarily primogeniture—was not established, but the land of the sept was subject to chronic redistribution. And finally, that safety to life and limb could not be secured or blood-feuds extinguished under a juridical system which merely aimed at imposing a fine on the family of

the evil-doer. This loose tribal organization and these primitive legal customs were not the peculiar product of Ireland. They were a stage in the early history of many other countries. The comparative isolation, however, of the westernmost island had favoured their survival into a period when progressive humanity had dimly discerned that for their prosperity, and even for their continued existence, it was necessary for small independent and semi-independent groups to shed these hampering customs, surrender some of their freedom, and coalesce into strong centralized states. It is a process which has been going on up to our own times. What progress Ireland would have made under her tribal system if the Normans had never settled there may perhaps not unfairly be estimated by the nearly stationary condition of the more purely Gaelic districts in the north of the country. These were the most powerful and the least disorderly of all the ancient divisions of Ireland, and they were also the least affected by the coming of the Normans, and yet between the upper reaches of the Shannon and the Bann, up to the age of Elizabeth, there was hardly a place deserving the name of a town.

Finally, the connexion with England brought Ireland into closer contact with the art and thought and life of Western Europe, and opened a channel by which she might share more readily in the intellectual heritage of all the ages. Such a channel, as we have seen, had indeed been formed by Christian missionaries and monastic schools at a much earlier period, but in the stormy times of the Scandinavian inroads the channel so formed had been silted up, and the art and learning previously introduced and developed, cut off from rejuvenating influences, had languished, and

Closer
contact
with
Europe.

when the Normans came was hardly alive. We have noted Ireland's gain by this new channel in trade and agriculture, in architecture and ecclesiastical organization, but it was still more manifest in the whole scheme of civil government, legislative, executive, and judicial. Norman rule in Ireland, in short, marks the introduction into a country which had never been through the school of Roman domination, of ideas of state-governance and organization which, as developed in the British Isles, have become the model for all the free governments of the world, and which in final analysis humanity owes to Imperial Rome.

We have now touched on some of the more important results of early Norman rule in Ireland. They constitute a great and rapid advance on the lines of mediaeval progress. Viewed broadly and as a whole, the thirteenth century was a great period in the history of Ireland, great in its performance and even greater in its promise. A new and greater Ireland was being developed, an Ireland fitted to co-operate in all that was making England great and to share in her greatness.

Why this progress was not maintained.

Not due to the character of the conquest.

But why, it will be asked, was this progress not maintained and this promise not fulfilled? or rather, why was there a marked retrogression from some of the points attained? For a full answer to this question a study in detail of the next two centuries would be a necessary preliminary. But already we can see in operation some of the causes of failure. In the first place, however, it may be remarked that the cause is not to be found in any special iniquity in the conquest as such. Even up to our own times in Europe there has been no general agreement as to the ethics of conquest, and in the twelfth century the blessed words 'democracy' and 'self-determination' were

unknown. Large districts in Europe frequently fell to new rulers, sometimes by naked conquest, sometimes as a marriage bargain or otherwise, without any reference to the wishes of the inhabitants. Henry had a better title to Ireland than his great-grandfather had to England. His vassal was already in possession of one whole province by agreement with its late king. He had the Pope's licence to enter the land and subject the people to his dominion. It is true that by Irish law Dermot exceeded his rights in bartering away the succession to his throne, and that to our thinking the Pope had still less right to interfere in the temporal affairs of Ireland; but to the feudalists of the twelfth century neither action was without its precedent, and at any rate, apart from any such disputable title, when Henry came he was at once accepted by the prelates of the Church, and nearly all the kings of the land swore fealty to him. He had no occasion to unsheath a sword. To the mass of the Irish people it seemed to make little difference who was *Ard-ri*. We must seek for the seeds of failure elsewhere.

The Norman settlers, especially at first, and the new-comers from England for many centuries, regarded the Irish as an inferior race, instead of (as they were) a race in a very different, and what was no doubt in some respects a less advanced, stage of culture. This view, it is true, did not prevent some intermarriages with the families of Irish chieftains. Thus following perhaps Strongbow's example, the elder Hugh de Lacy married as his second wife a daughter of Rory O'Connor, king of Connaught, and the first William de Burgh is said to have married a daughter of Donnell O'Brien, king of Thomond. Donnell's son Murtough married a daughter of Richard de

The Irish regarded as an inferior race.

Obstacles
to amal-
gamation.

Burgh. Richard de Carew married Raghena, daughter of Dermot MacCarthy, king of Desmond, and Dermot himself married Peronelle, sister of Thomas Bluet. There were no doubt other intermarriages, but there is no indication that they were common in the thirteenth century. There were legal difficulties. An English lady, in case of her survival, would gain no right of dower in her Irish husband's lands; while an Irish lady, except perhaps as the result of a pre-nuptial arrangement, would not bring any rights in land to her husband. There were indeed, in many other matters, immense difficulties in treating the Irish on an equality with the English before the law. It was impossible to reconcile the differences of law and custom. To enforce the abandonment of the tribal system, even if possible, would have led to increased bitterness of feeling. It was easier and involved less hardship to treat the chieftain as a quasi-feudal tenant of a circumscribed area, holding either of the Crown or of some great lord, leaving his relations with the tribesmen untouched, and giving him protection so long as he was loyal, and able and willing to prevent raids outside his borders. This was in fact done in many cases with at first a certain amount of success, but the plan in no way facilitated the amalgamation of the races, and these Irish *enclaves* sooner or later became centres of local disaffection and disturbance. Often this was not the fault of the ruling chieftain, but of some 'roydamna' or rival, who sought to gain popularity and secure his succession by a 'spirited foreign policy', which generally took the form of a successful plundering raid against the foreigner. The government had no adequate machinery for rapidly repressing disorder, and was often dis-

inclined to incur the inevitable expense, while the lords of the neighbouring districts, which were alone immediately affected, even if sufficiently powerful, were not impartial agents in the settling of disputes.

For this failure to amalgamate the Irish themselves were not free from blame. Not only did they continue to fight among themselves (on a smaller scale than of yore it is true), but they could not keep faith nor give up their predatory habits. They would submit again and again, solemnly pledge themselves to keep the peace, and as often break out afresh and raid the homesteads across their borders. They had indeed one great excuse. Whatever may have been the merits of any particular dispute, they saw the foreigner in possession of much of the best land of the country, and this was a continual source of irritation.

The Irish
partly to
blame.

Nevertheless in the course of the thirteenth century a certain amount of amalgamation of a wholesome kind went on. We hear of more intermarriages in high quarters. The families of the White Knight, the Knight of Glyn, and the Knight of Kerry, sprang from the union of John Fitz Thomas of Desmond with a daughter of O'Connor of Kerry. In the north, Aedh Buidhe O'Neill, king of Cinel Owen, eponymous ancestor of the Clannaboy O'Neills, married a cousin of Walter de Burgh, Earl of Ulster. In Connaught, Sir William (Liath) de Burgh married Finola, daughter of Brian Roe O'Brien, king of Thomond, and Edmund de Burgh, son of the Red Earl, married a daughter of Turlough O'Brien, a later king of Thomond. It seems probable that in the feudalized districts any Irishman of proved loyalty could obtain licence to use English laws, if he

wished it. Moreover, many of the lesser chieftains, while retaining their own laws and customs, preserved in general friendly relations with their new overlords in all parts of Ireland. Thus in Connaught O'Heyne, O'Shaughnessy, O'Flaherty, O'Madden, and O'Kelly were usually loyal to the de Burghs. There was no general combination against the English of Connaught until the time of the invasion of Edward Bruce, when the confederates suffered a severe defeat at the battle of Athenry. It was with reference to their defection at this crisis that a contemporary Irish writer, in a passage already quoted, upbraided the Irish chieftains who sided with the Scots against 'their princely English lords' under whose rule they had prospered. It is indeed certain that at least up to this period the Irish gained under the new régime greater security from attack, obtained a better market for their produce, and had examples before them of improved husbandry, new industries, better housing, and many things that add to the conveniences and amenities of life.

A defect
of Celtic
tempera-
ment.

It must, however, be admitted that even in the thirteenth century Gaelic Ireland went on very much in its old way, little influenced by contact with new habits of thought and new modes of life. It seems indeed to be one of the most marked characteristics of the Celtic temperament in its native land to be ever looking backward to a supposed golden age in the past, while paying little heed to the actual conditions of the life of the day and making the best of them. But in the lapse of time this purely Celtic temperament has become modified through the mingling of the races—for in spite of futile and mischievous legislation they have intermingled. The ground for this legislation was that the descendants of

the Normans who intermarried with the Irish or whose children were nurtured among them became turbulent and 'degenerate', or, as the phrase went, *Hibernis ipsis hiberniores*. But the real remedy for this, as for the turbulence of the Irish, was a more effective machinery for preserving order, a more consistent and less selfish policy with regard to the Irish, and a firmer and more impartial rule all round. In spite, however, of the default of the central government and of their own real or supposed degeneracy, the Anglo-Irish, while gaining something from the quick, sympathetic imagination of the Celt, never lost that energy of character, that power of initiative, and that capacity for leading and controlling men which they either inherited from their Norman ancestors or imbibed from the Norman tradition. Hence perhaps it is that so many great generals, distinguished statesmen, and eminent proconsuls of the British Commonwealth have sprung from an Anglo-Irish stock, and that with very few exceptions even the great leaders of Irish national movements from the time of James II to quite recent days have been of Anglo-Irish descent.

History shows that feudalism was a necessary stage in the evolution of a well-ordered progressive state, but it had in its laws relating to inheritance, wardship, and dower certain inherent defects as compared with tribalism. These laws begat frequent minorities, encumbered successors, and sooner or later partition among female heirs, who (in the case of Ireland) were often wedded to absentee lords. The result was to place the greater feudal fiefs at a distinct disadvantage in face of the homogeneous tribe or tribe-group with its resident adult, male, successor to the chieftainship, and its unimpaired territory. To avoid this

Defects of
feudalism
in face of
tribalism.

disadvantage various attempts were made, by settlement or otherwise, to exclude females from succession.¹ Thus John FitzThomas of Offaly pushed his way to the Geraldine succession, though there were female heirs entitled by the law of England to succeed,² and the same reluctance to admit the right of a female heir probably influenced the de Burghs of Connaught in their action after the death of Earl William in the critical year 1333. But they and other English settlers, especially in parts outside Leinster,³ found that they could not hold their own against Irish clans unless they adopted an agnatic succession framed somewhat on the Irish model; and soon we find persons of Norman or of English descent styled 'captains of their nations (or names)'. By the middle of the fourteenth century this system was recognized even in Leinster by the justiciar, before whom persons of the names of Harold, Archbold, Laghles, Howel, and Walsh, presumably of Saxon or Welsh descent, were sworn as chiefs of their respective names.⁴

The
Normans
lose their
military
advan-
tage.

From a military point of view feudalism in Ireland gradually lost much of the advantage it originally possessed in better equipment and greater cohesion in the face of the foe. From the first, indeed, the invaders were always greatly out-

¹ A similar motive in Scotland led to the attempted disinheritance of the daughters of Alan of Galloway in 1234: *ante*, vol. iii, p. 256.

² See *ante*, c. xxxv, p. 113, and appendix II.

³ Even in Leinster in 1299 two of the Rochfords, by an agreement, sought to arrange that on failure of heirs male 'the most noble, worthy, strong, and laudable, of the pure blood and name of the Rochfordeyns' should be chosen to succeed to the 'indivisible' barony of Okethy: Cal. Justiciary Rolls, vol. i, p. 326.

⁴ See English Historical Review, vol. xxv, p. 16.

numbered ; but this disadvantage was more than counterbalanced by their superior weapons, offensive and defensive—especially the hauberk and the bow—their use of cavalry, and their better discipline and tactics. But the Irish soon learned to avoid regular engagements in open country, and in the course of time the conditions became more equalized, while towards the close of the thirteenth century the bodies of heavy-armed ‘galloglasses’ from Scotland that were engaged by the chieftains of the north and west of Ireland formed a nucleus of professional soldiers that added much to the strength and discipline of the Irish forces. Finally, the success which attended the early campaigns of the Bruces showed that the English were not invincible, and, while the impoverishment that followed the ravages of the Scots and the accompanying years of famine affected both races alike, the Irish who had the least to lose were the first to regain something approaching their former state. The weak rule of Edward II and the neglect, interrupted by spasms of misplaced severity, of Edward III utterly disheartened the loyal settlers, who saw that they could no longer rely upon the Government for the preservation of order. Not only was the tide of immigration stayed, but many settlers gave up their ruined homesteads and returned to England or Wales, while those who remained lapsed more and more into the disorderly ways of their Irish neighbours.

Thus, even in the period under review, among the many benefits that Norman rule implanted in Ireland we can clearly trace the germination of some of the evil seeds whose growth choked and defeated the promise of the thirteenth century. In particular the treatment of the Irish generally as an inferior race, and a short-sighted disregard

Feudalism and tribalism could not coexist.

of their welfare ; the inability of the Irish themselves to face the facts, shake off old hampering customs, and accommodate themselves to the larger life opening before them ; and the weak, selfish, and inconsiderate policy of the central authority. But above and beyond all such seeds of failure, the two systems of Norman feudalism, held in imperfect restraint, and Celtic tribalism, in a condition of arrested development, could not long exist side by side. One or other must have given way. The weakness and neglect of a distant and preoccupied Government decided which it was to be, and for upwards of two centuries tribalism, which now extended to some of Norman descent, regained much of its former sway. Then at a time when feudalism, in the proper sense of the term, was a thing of the past, the inevitable work of the supersession of tribalism had to be undertaken by England in very self-defence at the cost to Ireland of much pain and hardship.

ADDENDA ET CORRIGENDA

TO VOLUMES I AND II

Vol. i, p. 16; vol. ii, p. 114. 'Joint justiciarship of Peter Pipard and William le Petit':—There is doubt about the date, c. 1198–9, assigned to this joint justiciarship. The charter on which I relied (Chart. St. Mary's Abbey, Dublin, vol. i, p. 143; vol. ii, p. 28) is a confirmation by Thomas O'Conor, Archbishop of Armagh, of a previous grant of land at Balitachel (Ballyboghil, Co. Dublin) to St. Mary's Abbey, and is witnessed by several bishops and archdeacons, and by 'Peter Pipard and William Parvus, at that time justiciars'. One of the witnesses is John, Bishop of Leighlin, and a bishop of Leighlin of that name was elected in 1198, but his predecessor's name is not known with certainty. Professor H. J. Lawlor, however, who has paid a close attention to episcopal successions in Ireland, informs me that there are some grounds for thinking that this predecessor's name was also John. Now the date indicated for the charter in question by the other clerical witnesses would fall within the years 1192–4. In particular Simon [de Rochford] is described as 'Elect of Meath', while according to Ware he was consecrated c. 1194. Moreover, there is independent evidence that Peter Pipard was justiciar in 1194 (*ante*, vol. ii, p. 112), and that, probably about the time of the archbishop's confirmation, the boundaries of 'Balibackil' were perambulated and marked out 'in the presence of William Parvus, justiciar' (Chart. St. Mary's, Dublin, vol. i, p. 175). It is, therefore, not improbable that it was in, or shortly before, 1194 that, following the precedent of May 1181, these two were appointed joint justiciars.

Vol. i, p. 18; vol. ii, pp. 165, 246. 'William, son of William, Baron of Naas':—It was William, third Baron of Naas, son of William, the second baron, who married

Matilda of Pont de l'Arche. She was widow of Philip de Braose: Close Roll, 11 Hen. III, p. 199. This William Fitz William has been hitherto omitted in the received pedigrees, but in a review of the Gormanston Register (English Hist. Review, vol. xxxi (1916), pp. 488-9) I have established his position. His father, William, son of Maurice, who married Alina, daughter of Strongbow, was dead before c. September 1199 (Rot. de Obtalis, 1 John, m. 15, p. 26). The third baron is often called simply 'William, Baron of Naas', hence the confusion; but his patronymic appears in several documents, e.g. Cal. Gormanston Register, pp. 154, 200, 204; and Cal. Docs. Ireland, vol. i, p. 448. David Fitz William, fourth Baron of Naas, was his son and heir by 'Mahaut de Pontearch' (Matilda de Pont de l'Arche): Cal. Gormanston Register, p. 163.

Vol. i, p. 33. 'Stuffed their wounds with moss':—It would seem that the absorptive and curative properties of 'sphagnum', of which we have had much recent evidence, were known and utilized at this time by the Irish.

Vol. i, pp. 104, 121:—For 'Aryan family of races' read 'Aryan-speaking peoples'.

Vol. i, p. 140, note 1:—For a description of Rathgall, see my paper in Journal R. S. A. I., vol. xli (1911), pp. 138-50; and for an attempted identification with the *Dún Galion* of the Book of Leinster and the 'Dunum' of Ptolemy, see Proc. Roy. Irish Academy, vol. xxxii (c), pp. 41-57.

Vol. i, p. 268 (last line):—For 'the law of Bristol' read 'law of Breteuil', and see *infra*, corrigendum to vol. ii, pp. 315-16.

Vol. i, p. 281, l. 14:—For 'in the preceding July' read 'on June 14, 1170'.

Vol. i, p. 287, l. 7:—For some information about Stephen White, see Text-book of Irish Literature (Eleanor Hull), vol. ii, pp. xix and 183.

Vol. i, pp. 323-4, and note to the latter page. 'The foundation-charters of Dunbrody':—Another and more probable solution of the difficulty concerning the dates of these charters to Dunbrody is that the confirmation of Hervey's charter ascribed to 'Earl Richard, son of Earl Gilbert', is, like some other monastic charters, a

forgery. It is not mentioned in the agreement of November 1, 1182, when the Convent of Buildwas made over all their rights under Hervey's grant to St. Mary's Abbey, Dublin (Chart. St. Mary's Abbey, vol. i, pp. 354-6), nor by Prince John in his confirmation in 1185 (*ibid.*, vol. ii, p. 166), nor in the confirmation by Albin O'Molloy, Bishop of Ferns, after 1186 (*ibid.*, p. 168), nor in the Bull of Pope Celestine in 1195 (*ibid.*, p. 98), though all of these mention or recite Hervey's charter, and the three last mention the grants of subsequent donors as well. Strongbow's charter is first mentioned c. 1207 in the confirmation by Earl William Marshal the elder (*ibid.*, p. 158), in view of obtaining which it may have been manufactured. On this supposition there is no difficulty in assigning Hervey's charter to a date between 1178, when Felix [O'Dullany], Bishop of Ossory, one of the witnesses, was consecrated, or at any rate when the preceding bishop, Donnell O'Fogarty, died (Four Masters, 1178), and November 1, 1182, when the Convent of Buildwas made over their claims to the site which Hervey had lately (*nuper*) given them. Dr. H. J. Lawlor in a criticism of this passage, which led me to reconsider the solution of the difficulty I had noted, suggests that both Hervey's and Strongbow's charters were forgeries, but I see no reason to doubt the authenticity of the former, or its ascription to a date within the limits above mentioned. Indeed, the very description given to Hervey in his charter as 'Mariscallus Domini Regis de Hibernia et Senescallus de tota terra Ricardi comitis', points to a period soon after the earl's death (May 1176), when the same influences which led William Fitz Audelin, the justiciar, to seek 'to humble the pride of the Geraldines and scatter their shields' (Gir. Camb., vol. v, p. 335), led not improbably to the promotion of Hervey. It may further be noted that the impossibility of placing Strongbow's alleged charter before Hervey's, which it confirms, may have led the compiler of some inaccurate chronicles concerning the lords of Leinster, inserted in the Register of Dunbrody (Chart. St. Mary's Abbey, vol. ii, p. 141), to post-date the death of Richard Fitz Gilbert by two years. His obit is there placed in 1178, and it is added that he and Hervey founded the House of Dunbrody. Thus Strongbow's lifetime is incorrectly

extended so as to cover the earliest date to which Hervey's charter can be assigned—probably its actual date.

Vol. ii, pp. 48–50. 'Descent of the seignory of Cork':—For a further examination of this subject, with some corrections and additions, see vol. iii, pp. 147–55.

Vol. ii, p. 59 (last line):—There seems to be no early authority for calling John Comyn 'a monk'.

Vol. ii, p. 67, l. 20:—For 'Hugh de Lucy' read 'Hugh de Lacy'.

Vol. ii, p. 78. Kells (Meath) charter:—'Though the printed transcript to which reference is made has 'legem Bristolli', it is not improbable that the original charter conferred the 'Law of Breteuil'.

Vol. ii, p. 79. 'Drogheda castle':—From an insepimus of 1340 (Pat. Roll, 14 Ed. III, pt. 2, m. 26; Cal., p. 525) it appears that by a charter dated in June 1194 Walter de Lacy granted 'to his burgesses of Drogheda dwelling on the side of the bridge next his castle, namely the southern side', their burgages as assigned by a jury, with a frontage for each burgage of fifty feet, and three acres of land; and that the river Boyne should be free from all obstacles from the sea to the bridge of Trim, so that the burgesses might come and go with their boats and merchandise. He also granted them 'the free Law of Breteuil' (*liberam legem Britolli*). This charter strongly supports the position originally taken up by me in a paper read before the Royal Society of Antiquaries of Ireland at Dundalk (see *Journal*, vol. xxxviii (1908), pp. 246–50), and at the time received with noisy incredulity, that Walter de Lacy's castle of Drogheda was situated on the artificial mound there known as the Mill-mound on the southern side of the Boyne overlooking the bridge; and seeing that Walter appears to have got seisin of his lands for the first time in 1194 (*ante*, vol. ii, p. 112), the charter also bears out my inference that the castle was built by his father Hugh. While therefore I am grateful to Professor Tait for calling my attention to this charter, of which I was ignorant, and also for noticing some other slips and omissions in my former two volumes, which he reviewed with great care and sympathy, I cannot accept his position that the grant of 1203, by which the custody of the Bridge of Drogheda

was committed to Nicholas de Verdun, 'had nothing to do with the castle on the Meath bank of the Boyne—but only with the northern *tête de pont* in Louth, which was known as Bridge of Drogheda' (see his review of 'Ireland under the Normans', in English Historical Review, vol. xxvii, January 1912). If by *tête de pont* is meant any kind of fortification on the northern side, I can only say that no trace of such has been anywhere noticed, and that if any such fortification existed it would surely be anomalous to have it and the castle on the other side of the bridge in different hands. It would have been more exact if I had stated that what John gave in custody to Nicholas was 'Pons de Drocheda cum pertinenciis', and explained at length that by this was meant the town of Drogheda, including in particular the castle on the Mill-mount, which, no doubt, was the primary object of the custody. Professor Tait seems to think that the name 'De Ponte' was confined to the part of the town lying to the north of the river. But this was not so. (See e.g. Register of All Hallows, Dublin, p. 66, 'consensu proborum de Ponte ex parte Midie'.) This Latin name for the town seems to have arisen in this way. *Droichead átha*, the Irish name, means 'the bridge of the ford', but the town was locally called simply *an droichead*, 'the bridge' (see O'Donovan's note *h* to Four Masters, vol. iii, p. 349). This was at first latinized 'Pons', or 'villa de Ponte', or (to distinguish it from other bridge-towns) 'de ponte de Drocheda', though that expression was tautological. Later on, the Latin element was usually dropped, and when a distinction had to be made between the two parts of the town (which had received separate charters), the northern part was described as 'Drogheda versus Uriel', and the southern as 'Drogheda versus Midiam'.

With regard to the castle, with which I was more particularly concerned, it is often called simply the Castle of Drogheda, but it appears as 'Castrum de Ponte de Drocheda' when, along with the other royal castles, it was surrendered by Geoffrey de Marisco, the justiciar, on his quitting office in 1221 (Pat. Roll, 6 Hen. III, pt. 1, m. 6, p. 316), and by the same description Walter de Lacy's former castle was in 1225 permanently retained by the king (Close Roll, 9 Hen. III, p. 39 b). It was

clearly the same castle throughout. Why it was in the king's hand in 1203 does not appear—though we may conjecture that it was on account of the proceedings of John de Courcy and 'W. de Lacy' referred to in Oblate Roll, 1 John, p. 74—but, indeed, it is evident from many documents that not only King John, but the advisers of Henry III, were resolved that a castle at this strategic point in the defence of the vale of Dublin should not be left in private hands.

In conformity with the untenable view that 'Bridge of Drogheda' meant exclusively the northern town, Professor Tait also assumes that when John in 1213 gave his burgesses 'de Ponte de Drocheda' the Law of Breteuil he was enfranchising the northern town alone. I see no reason to think that the grant was so confined, even if there was any considerable town at that time north of the river. It appears, no doubt, that Walter de Lacy had made a similar grant to his burgesses (on the Meath side) many years before, but the king had confiscated Walter's lands, and the burgesses would naturally seek a new grant from their new lord.

Vol. ii, p. 104, l. 14:—For 'Earls of Leinster' read 'Earls of Kildare and Dukes of Leinster'.

Vol. ii, p. 119, l. 2. 'Barony of Ardee':—Perhaps Peter Pipard, the justiciar (1194), believed to be brother of Gilbert and Roger, was the first grantee. Christinus, Bishop of Louth, quit-claimed the advowsons of Clonkeen and Drumcar to Peter Pipard by a deed to be dated 1187-8. (See Professor Lawlor's paper, *Proc. R. I. A.*, vol. xxxii (c), p. 37.) From this it may perhaps be inferred that at this date Peter Pipard was the baronial lord.

Vol. ii, pp. 121-2. 'Agreement between Hugh de Lacy and Thomas de Verdun':—In 1235 Hugh de Lacy, in consideration of £200, quit-claimed for his life to Roesia de Verdun all his right under this agreement: *Cal. Gormanston Register*, p. 161.

Vol. ii, p. 165:—Insert 'his grandson' before 'Thomas' in l. 3, and 'in 1295' after 'the justiciar' in l. 4.

Vol. ii, p. 165, l. 7:—I have found no early authority for the statement usually appearing in the pedigrees that Gerald, son of the first Maurice Fitz Gerald, married a daughter of Hamo de Valognes. The mother of his son

and heir, Maurice, was Eva de Bermingham; see *ante*, vol. iii, p. 113, and references there given.

Vol. ii, p. 166. 'Ardpatrick and the cantred of Fontimel':—Mr. T. W. Westropp, whom I hesitatingly followed, identified the castle built at Ardpatrick in 1199 with Knockpatrick in the parish of Robertstown (Proc. R. I. A., vol. xxvi (c), p. 240), but he has since abandoned the identification (*ibid.*, vol. xxxiii (c), pp. 36–8). It is clearly the Ardpatrick in the barony of Coshlea (south of Kilmallock), and about it the cantred of Fontimel or 'Fontymchyll', as the name subsequently appears, must be placed.

Vol. ii, p. 187:—For 'Earl of Mortain' read 'Count of Mortain'.

Vol. ii, p. 211, note 1:—Geoffrey Fitz Robert, Baron of Kells and seneschal of Leinster, may be identical with Geoffrey Fitz Robert, second husband of Basilia de Clare. The statement of the editor of the Register of St. Thomas's Abbey, to the effect that Geoffrey predeceased Basilia (Preface, p. xiv), is not borne out by the charters to which he refers. Geoffrey appears to have been husband of Basilia in the time of John, Bishop of Leighlin, 1199–1201 (*ibid.*, p. 112). He cannot have married Eva de Bermingham until after the death of Gerald Fitz Maurice, her first husband, c. 1203 (Pat. Roll, 5 John, p. 38), and Basilia may have died in the interim.

Vol. ii, p. 235:—Delete note 1. Exeter was one of the vacant sees in 1207–8, but the commission to Eugene, Archbishop of Armagh, to execute the episcopal office there, preceded the proclamation of the interdict by eight months.

Vol. ii, p. 257, l. 21:—For 'Earl of Ferrers' read 'William of Ferrars, Earl of Derby'.

Vol. ii, p. 289, note:—'Co. Sligo' is O'Donovan's addition, but the Carbury intended was probably the district about *Sliabh Cairbri* in counties Leitrim and Cavan. See *ante*, vol. iii, p. 32.

Vol. ii, p. 314, note 2. 'John's Waterford Charter':—Adolphus Ballard (British Borough Charters, 1042–1216, p. 255) notices, as I have done, that John's charter to Waterford is wrongly dated, but he adds that the charter is suspect on other grounds, as containing a number of clauses not found in any genuine charter of the same

date. His argument seems convincing, and, if so, the clause directing that all shipping entering the port between Rodybank and Ryndouan should load and unload at the Quay of Waterford and nowhere else—a clause which gave rise to the age-long dispute between New Ross and Waterford—would seem to be a forgery. The clause does not appear in the charter granted to Waterford by Henry III in 1232 (*Chartae, Privilegia, et Immunitates*, p. 22), nor is John's charter mentioned in the confirmation of Henry's charter by Edward II in 1308 (*ibid.*, p. 42), nor does John's charter appear to be quoted subsequently. Many mandates and counter-mandates on the subject were, however, issued from the time of Henry III, and a similar clause appears as a new concession in a charter from Edward III in 1356 (*ibid.*, p. 60). Not until the reign of Richard II, if then, was the dispute finally settled on the basis of allowing ships to proceed to either port at the option of the merchants (*ibid.*, p. 74).

Vol. ii, pp. 315–16. 'The Law of Breteuil':—Professor James Tait, in his review already mentioned of the first two volumes of this work, notes with not unnatural surprise my complete unconsciousness of Miss Bateson's investigations into the Laws of Breteuil, published in the *English Historical Review*. To this charge of ignorance I must plead guilty; but then I may be allowed some small credit for having independently discerned that it was the Law of Breteuil (not of Bristol or 'Bridge-Toll') that was granted by King John to Dungarvan and Drogheda. (The names in the charters, 'Bretoill' and 'Breteill', are, as Professor Tait points out, Anglo-French forms, and I should not have expanded them as if they were Latin.) In describing the de Lacy charters to Trim and Kells, and those of the archbishop to Rathcoole, Ballymore, and Holywood, I followed the reading of the only sources available. But in these and in some other cases Miss Bateson was probably justified in suspecting that the original charters referred to the 'Law of Breteuil'. An example not noticed by Miss Bateson was perhaps Mungret, to the burgesses of which a bishop of Limerick is said to have granted *la ley de Brutolle*: Statute Rolls, Ireland, 3 Ed. IV, c. 12.

Miss Bateson's inferential reconstruction of the customs

of Breteuil has, however, since met with criticism from Dr. Hemmeon in his 'Burgage Tenure in Mediaeval England', and more recently the late Adolphus Ballard, author of *British Borough Charters* (1913), has reviewed the question and thrown doubt on many of the supposed Bretollian clauses: *English Historical Review*, vol. xxx (1915), p. 646 et seq. He points out the patchwork character of English charters, states that the differences between them and the French charters are much more numerous than the resemblances, and that in some respects the English charters show an advance, and he concludes with the remark that the great attraction to settlers in towns of the Law of Breteuil was that the amercement for all offences, with few exceptions, was limited to 12*l*.

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Members of the same family are placed, as nearly as may be, in the order of descent, or (in the case of Irish kings) in the order of their succession.

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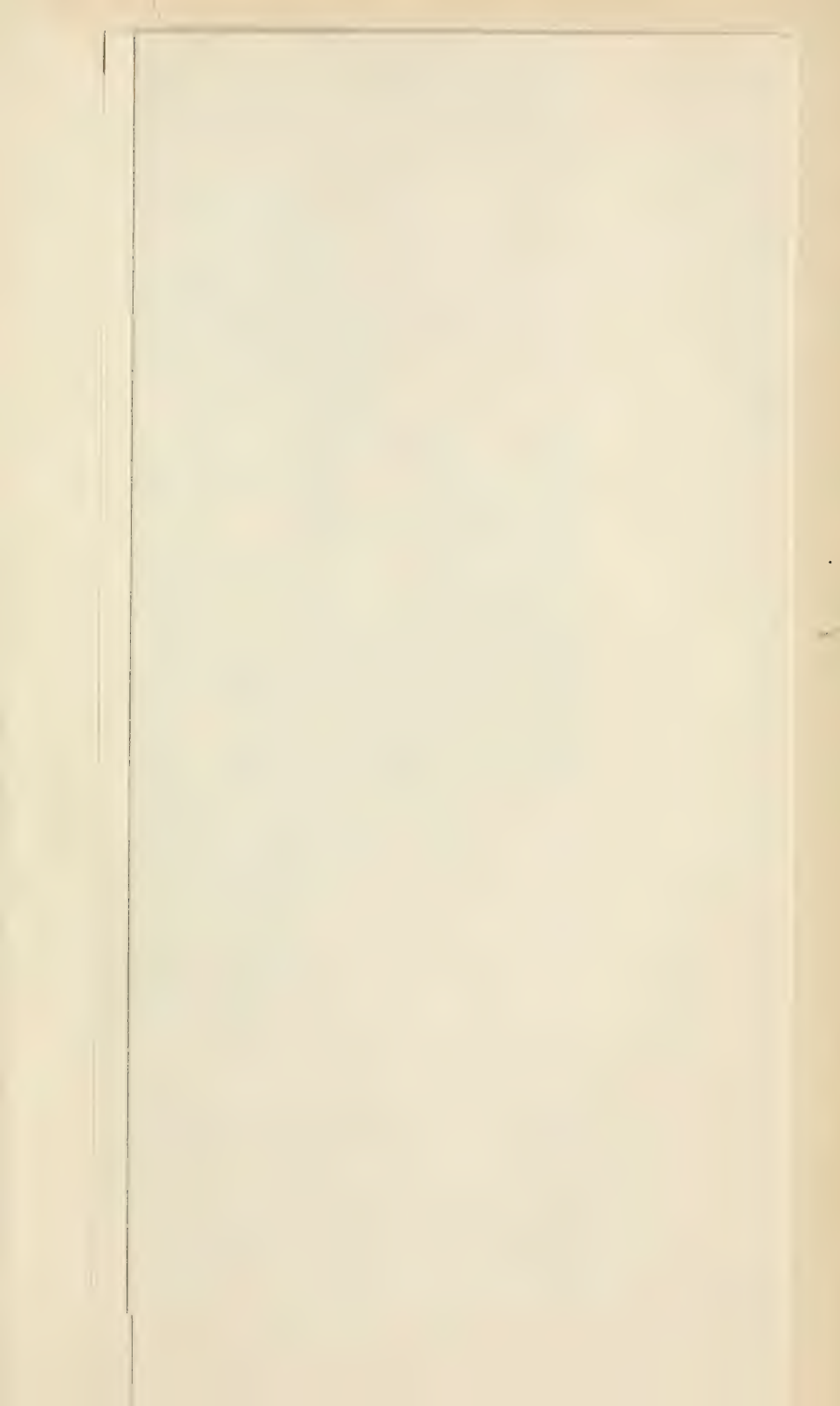
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